



**Employee Handbook 2019**  
**RAP Foundation**

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# **General Employment Policies**

## **Introductory Statement**

Welcome! As an employee of RAP Foundation (the "Foundation"), you are an important member of a team effort. We hope that you will find your position with the Foundation rewarding, challenging, and productive.

Because our success depends upon the dedication of our employees, we are highly selective in choosing new members of our team. We look to you and the other employees to contribute to the success of the Foundation.

This employee handbook is intended to explain the terms and conditions of employment of all full- and part-time employees and supervisors. Written employment contracts between RAP Foundation and some individuals may supersede some of the provisions of this handbook.

This handbook summarizes the policies and practices in effect at the time of publication. This handbook supersedes all previously issued handbooks and any policy or benefit statements or memoranda that are inconsistent with the policies described here. Your supervisor or manager will be happy to answer any questions you may have.

## **Right to Revise**

This employee handbook contains the employment policies and practices of RAP Foundation in effect at the time of publication. All previously issued handbooks and any inconsistent policy statements or memoranda are superseded.

RAP Foundation reserves the right to revise, modify, delete, or add to any and all policies, procedures, work rules, or benefits stated in this handbook or in any other document, except for the policy of at-will employment. However, any such changes must be in writing and must be signed by the president of RAP Foundation.

Any written changes to this handbook will be distributed to all employees so that employees will be aware of the new policies or procedures. No oral statements or representations can in any way alter the provisions of this handbook.

This handbook sets forth the entire agreement between you and RAP Foundation as to the duration of employment and the circumstances under which employment may be terminated. Nothing in this employee handbook or in any other personnel document, including benefit plan descriptions, creates or is intended to create a promise or representation of continued employment for any employee.

Nothing in this at-will statement is intended to interfere with an employee's rights to communicate or work with others toward altering the terms and conditions of his or her employment.

### **At-Will Employment Status**

RAP Foundation personnel are employed on an at-will basis. Employment at-will means that the employment relationship may be terminated, with or without cause and with or without advance notice at any time by the employee or the Foundation. Nothing in this handbook shall limit the right to terminate at-will employment.

No manager, supervisor, or employee of the Foundation has any authority to enter into an agreement for employment for any specified period of time or to make an agreement for employment on other than at-will terms. Only the CEO of RAP Foundation has the authority to make any such agreement, which is binding only if it is in writing.

Nothing in this at-will statement is intended to interfere with an employee's rights to communicate or work with others toward altering the terms and conditions of his or her employment.

### **Harassment, Discrimination and Sexual harassment Policy**

Regional Access Project (RAP) is an equal opportunity employer. RAP is committed to providing a work environment free of harassment, discrimination, retaliation, and disrespectful or other unprofessional conduct based on:

- Race
- Religion (including religious dress and grooming practices)
- Color
- Sex/gender (including pregnancy, childbirth, breastfeeding or related medical conditions), sex stereotype, gender identity/gender expression/transgender (including whether or not you are transitioning or have transitioned) and sexual orientation
- National origin (including language use restrictions and possession of a driver's license issued to persons unable to prove their presence in the United States is authorized under federal law [Vehicle Code section 12801.9])
- Ancestry
- Physical or mental disability
- Medical condition
- Genetic information/characteristics
- Marital status/registered domestic partner status
- Age (40 and over)
- Sexual orientation
- Military or veteran status
- Any other basis protected by federal, state or local law or ordinance or regulation

RAP also prohibits discrimination, harassment, disrespectful or unprofessional conduct based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics.

In addition, the Company prohibits retaliation against individuals who raise complaints of discrimination or harassment or who participate in workplace investigations.

**All such conduct violates Company policy.**

### **Harassment Prevention**

The Company's policy prohibiting harassment applies to all persons involved in the operation of the Company. The Company prohibits harassment, disrespectful or unprofessional conduct by any employee of the Company, including supervisors, managers and co-workers. The Company's anti-harassment policy also applies to vendors, customers, independent contractors, unpaid interns, volunteers, persons providing services pursuant to a contract and other persons with whom you come into contact while working.

Prohibited harassment, disrespectful or unprofessional conduct includes, but is not limited to, the following behavior:

- Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations, comments, posts or messages;
- Visual displays such as derogatory and/or sexually-oriented posters, photography, cartoons, drawings or gestures;
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work because of sex, race or any other protected basis;
- Threats and demands to submit to sexual requests or sexual advances as a condition of continued employment, or to avoid some other loss and offers of employment benefits in return for sexual favors;
- Retaliation for reporting or threatening to report harassment; and
- Communication via electronic media of any type that includes any conduct that is prohibited by state and/or federal law or by company policy.

Sexual harassment does not need to be motivated by sexual desire to be unlawful or to violate this policy. For example, hostile acts toward an employee because of his/her gender can amount to sexual harassment, regardless of whether the treatment is motivated by sexual desire.

Prohibited harassment is not just sexual harassment but harassment based on any protected category.

### **Non-Discrimination**

The Company is committed to compliance with all applicable laws providing equal employment opportunities. This commitment applies to all persons involved in Company operations. The Company prohibits unlawful discrimination against any job applicant, employee or unpaid intern by any employee of the Company, including supervisors and coworkers.

Pay discrimination between employees of the opposite sex or between employees of another race or ethnicity performing substantially similar work, as defined by the California Fair Pay Act and federal law, is prohibited. Pay differentials may be valid in certain situations defined by law. Employees will not be retaliated against for inquiring about or discussing wages. However, [Company Name] is not obligated to disclose the wages of other employees.

### **Anti-Retaliation**

The Company will not retaliate against you for filing a complaint or participating in any workplace investigation or complaint process, and will not tolerate or permit retaliation by management, employees or co-workers.

### **Reasonable Accommodation**

Discrimination can also include failing to reasonably accommodate religious practices or qualified individuals with disabilities where the accommodation does not pose an undue hardship.

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

Any job applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact a Company representative with day-to-day personnel responsibilities and discuss the need for an accommodation. The Company will engage in an interactive process with the employee to identify possible accommodations, if any, that will help the applicant or employee perform the job. An applicant, employee or unpaid intern who requires an accommodation of a religious belief or practice (including religious dress and grooming practices, such as religious clothing or hairstyles) should also contact a Company representative with day-to-day personnel responsibilities and discuss the need for an accommodation. If the accommodation is reasonable and will not impose an undue hardship, the Company will make the accommodation.

The Company will not retaliate against you for requesting a reasonable accommodation and will not knowingly tolerate or permit retaliation by management, employees or co-workers.

### **Complaint Process**

If you believe that you have been the subject of harassment, discrimination, retaliation or other prohibited conduct, bring your complaint to your supervisor or to any other Company supervisor, or the CEO as soon as possible after the incident. You may also contact the HR Consultant at [greeargroup@gmail.com](mailto:greeargroup@gmail.com) with the understanding that the HR Consultant will notify the CEO. You can bring your complaint to any of these individuals. If you need assistance with your complaint, or if you prefer to make a complaint in person, contact the personnel manager. Please provide all known details of the incident or incidents, names of individuals involved and names of any witnesses. It would be best to communicate your complaint in writing, but this is not mandatory.

The Company encourages all individuals to report any incidents of harassment, discrimination, retaliation or other prohibited conduct forbidden by this policy immediately so that complaints can be quickly and fairly resolved.

You also should be aware that the Federal Equal Employment Opportunity Commission and the California Department of Fair Employment and Housing investigate and prosecute complaints of prohibited harassment, discrimination and retaliation in employment. If you think you have been harassed or discriminated against or that you have been retaliated against for resisting, complaining or participating in an investigation, you may file a complaint with the appropriate agency. The nearest office can be found by visiting the agency websites at [www.dfeh.ca.gov](http://www.dfeh.ca.gov) and [www.eeoc.gov](http://www.eeoc.gov).

Supervisors must refer all complaints involving harassment, discrimination, retaliation or other prohibited conduct to the [personnel manager, HR manager, EEO manager, designated ombudsperson] of the Company so the Company can try to resolve the complaint.

When the Company receives allegations of misconduct, it will immediately undertake a fair, timely, thorough and objective investigation of the allegations in accordance with all legal requirements. The Company will reach reasonable conclusions based on the evidence collected.

The Company will maintain confidentiality to the extent possible. However, the Company cannot promise complete confidentiality. The employer's duty to investigate and take corrective action may require the disclosure of information to individuals with a need to know.

Complaints will be:

- Responded to in a timely manner
- Kept confidential to the extent possible
- Investigated impartially by qualified personnel in a timely manner
- Documented and tracked for reasonable progress
- Given appropriate options for remedial action and resolution
- Closed in a timely manner

If the Company determines that harassment, discrimination, retaliation or other prohibited conduct has occurred, appropriate and effective corrective and remedial action will be taken in accordance with the circumstances involved. The Company also will take appropriate action to deter future misconduct.

Any employee determined by the Company to be responsible for harassment, discrimination, retaliation or other prohibited conduct will be subject to appropriate disciplinary action, up to, and including termination. Employees should also know that if they engage in unlawful harassment, they can be held personally liable for the misconduct.

# Hiring

### **Bridging of Time**

RAP Foundation will give credit to employees previously employed by the Foundation, provided the break in service does not exceed 365 days. The break in service time will be deducted from the employee's original service date for purposes of the following:

- Seniority date
- Paid Time Off (PTO)
- Retirement

Employees whose break in service is less than the 60-day waiting period for health benefits will be reinstated into the health benefit plan in which they were enrolled prior to their termination.

### **Full-Time Employees**

Regular full-time employees are those who are scheduled for and do work 40 hours per week. Following the completion of the introductory period, regular full-time employees are eligible for most employee benefits described in this handbook.

### **Part-Time Employees**

Part-time employees are those who are scheduled for and do work fewer than 40 hours per week, but not fewer than 15 hours.

### **Regular Employees**

Regular employees are those who are hired to work on a regular schedule. Regular employees may be classified as full-time or part-time.

### **Temporary Employees**

Temporary employees are those employed for short-term assignments. Short-term assignments generally are periods of three months or fewer; however, such assignments may be extended. Temporary employees are not eligible for employee benefits except those mandated by applicable law.

### **Job Duties**

During the introductory period, your supervisor will explain your job responsibilities and the performance standards expected of you. Be aware that your job responsibilities may change at any time during your employment. From time to time, you may be asked to work on special projects, or to assist with other work necessary or important to the operation of your department or RAP Foundation. Your cooperation and assistance in performing such additional work is expected.

RAP Foundation reserves the right, at any time, with or without notice, to alter or change job responsibilities, reassign or transfer job positions, or assign additional job responsibilities.

### **New Hires**

Completion of the introductory period does not entitle you to remain employed by RAP Foundation for any definite period of time. Your status as an at-will employee does not change, the employment relationship may be terminated with or without cause and with or without advance notice, at any time by you or the Foundation.

The first 90 DAYS of continuous employment at RAP Foundation is considered an introductory period. During this time, you will learn your responsibilities, get acquainted with fellow employees and determine whether or not you are happy with your job. Your supervisor will closely monitor your performance.

# Leaves of Absence

### **Bereavement Leave**

RAP Foundation grants leave of absence to employees in the event of the death of the employee's current spouse, registered domestic partner, child, parent, legal guardian, brother, sister, grandparent, or grandchild; or mother-, father-, sister-, brother-, son-, or daughter-in-law. An employee with such a death in the family may take up to 3 consecutive scheduled workdays off with pay, based on the normal work schedule and with approval from the CEO.

### **Domestic Violence, Sexual Assault or Stalking Leave and Accommodation**

Employees who are victims of domestic violence, sexual assault and stalking are eligible for unpaid leave. You may request leave if you are involved in a judicial action, such as obtaining restraining orders, or appearing in court to obtain relief to ensure your health, safety, or welfare, or that of your child.

Employees who are victims of domestic violence, sexual assault or stalking and need a reasonable accommodation for their safety at work should contact a Foundation representative with day-to-day personnel responsibilities and discuss the need for an accommodation. If you are requesting such a reasonable accommodation, you will need to submit a written statement signed by you, or by an individual acting on your behalf, certifying that the accommodation is for the purpose of your safety at work.

For reasonable accommodation requests, the Foundation will also require certification demonstrating that you are the victim of domestic violence, sexual assault or stalking. Any of the forms of certification described above for leave purposes will suffice. The Foundation may request recertification every six months from the date of the previous certification. You should notify the Foundation if an approved accommodation is no longer needed.

The Foundation will engage in an interactive process with the employee to identify possible accommodations, if any that are effective and will make reasonable accommodations unless an undue hardship will result.

RAP Foundation will, to the extent allowed by law, maintain the confidentiality of an employee requesting leave or accommodation under these provisions.

### **Extended Medical Leave**

A medical leave of absence may be granted for non-work-related medical disabilities (other than pregnancy, childbirth, and related medical conditions) with a doctor's written certificate of disability. Extended disability leaves will also be considered on a case-by-case basis, consistent with the Foundation's obligations under federal and state disability laws.

Employees should request any leave in writing as far in advance as possible. If you are granted a medical leave, RAP Foundation will pay you PTO pay for the period of time equivalent to your accumulated PTO pay earned. You also may use any paid time off (PTO) previously accrued.

A medical leave begins on the first day your doctor certifies that you are unable to work, and ends when your doctor certifies that you are able to return to work. Your supervisor will supply you with a form for your doctor to complete, showing the date you were disabled and the estimated date you will be able to return to work. An employee returning from a medical

disability leave must present a doctor's certificate declaring fitness to return to work.

If returning from a non-work-related medical leave, you will be offered the same position you held at the time your leave began, if available. If your former position is not available, a comparable position will be offered. If neither the same nor a comparable position is available, your return to work will depend on job openings existing at the time of your scheduled return. RAP Foundation makes no guarantees of reinstatement, and your return will depend on your qualifications for existing openings.

California workers' compensation laws govern work-related injuries and illnesses. California pregnancy disability laws govern leaves taken because of pregnancy, childbirth, and related medical conditions. An employee that needs reasonable accommodations should contact a Foundation representative with day-to-day personnel responsibilities and discuss the need for an accommodation.

### **Jury Duty and Witness Leave**

RAP Foundation encourages employees to serve on jury duty when called. Non-exempt employees who have completed their introductory periods will receive full pay while serving up to all days of jury duty. Full-time exempt employees will receive full salary unless they are absent for a full week and perform no work. You should notify your supervisor of the need for time off for jury duty as soon as a notice or summons from the court is received. You will be requested to provide written verification from the court clerk of performance of jury service. If work time remains after any day of jury selection or jury duty, you will be expected to return to work for the remainder of your work schedule.

#### **Fees Paid by the Court**

You may retain any mileage allowance or other fee paid by the court for jury services.

### **Kin Care**

Under California's kin care law, employees are allowed to use one-half of their annual PTO entitlement to care for a family member.

California's kin care law allows employees to use kin care for the same purposes specified by the Paid Sick Leave (PSL) law and defines "family member" under the kin care law the same as under PSL. Refer to the Paid Time Off Policy in this handbook.

### **Military Leave**

Employees who wish to serve in the military and take military leave should contact the CEO for information about their rights before and after such leave. Employees are entitled to reinstatement to previous position, if still available, or a comparable position upon completion of military service, provided you return or apply for reinstatement within the time allowed by law.

### **Paid Family Leave**

Employees may be eligible for Paid Family Leave (PFL) wage replacement benefits, which are funded through payroll deductions and coordinated through the Employment Development

Department. PFL provides partial pay for up to six weeks when an employee needs to take leave from work to care for a parent, parent-in-law, child, spouse, registered domestic partner, grandparent, grandchild, or sibling who is seriously ill, or for a working parent who wants time to bond with his or her newborn, foster child or newly adopted child. The PFL program does not provide employees with a right to a leave of absence; it is limited to a state-mandated wage replacement benefit.

### **Paid Time Off - Effective July 1, 2015**

Employees are entitled to Paid Time Off based upon their years of active service. Active service commences with an employee's first day of work and continues thereafter unless broken by an absence without pay, a leave of absence, or termination of employment. The Company shall provide PTO upon the oral or written request of an employee for

PTO may be taken for employees own personal wellbeing commonly referred to as vacation.

PTO for sick leave can be used for the following reasons:

- Diagnosis, care or treatment of an existing health condition for an employee or covered family member, as defined below.
- Preventive care for an employee or an employee's covered family member.
- For certain, specified purposes when the employee is a victim of domestic violence, sexual assault or stalking.

For purposes of PTO for sick leave a covered family member includes:

- A child defined as a biological, foster or adopted child; a stepchild; or a legal ward, regardless of the age or dependency status of the child. A "child" also may be someone for whom you have accepted the duties and responsibilities of raising, even if they are not your legal child.
- A "parent" defined as a biological, foster or adoptive parent; a stepparent; or a legal guardian of an employee or the employee's spouse or registered domestic partner. A parent may also be someone who accepted the duties and responsibilities of raising you when you were a minor child, even if they are not your legal parent.
- A spouse.
- A registered domestic partner.
- A grandparent.
- A grandchild.
- A sibling.

If the need to take PTO is foreseeable, you must give reasonable prior notice. The Company appreciates as much prior notice as possible. We request where possible that you submit written requests for PTO through email/or text message. When you take PTO, you must take a minimum of one (1) hours at a time.

- PTO begins accruing at time of hire employees must successfully complete the 90 day introductory period before using accrued PTO.
- The amount of PTO used should be commensurate with the normal work day. For example: If an employee who normally works an eight hour day goes home sick after working three hours, five hours of PTO would be used. If the employee misses the entire day due to illness, eight hours must be used.
- The minimum amount of PTO that can be used for any one absence is one (1) hour.
- PTO may be used for all absences defined as vacation, sickness, personal emergency and personal appointments of one (1) hour in length or greater. An employee may not take unpaid time away from work greater than one (1) hour if PTO is available.
- When an employee takes one week of PTO, PTO will be used based on employees normal work schedule.
- Employees on unpaid leave do not accrue Paid Time Off.
- PTO hours reach a cap a 1 ½ times the annual accrual rate; for example 120 hours annually would cap at 180 hours. Once that level of accrued PTO is earned but not taken, PTO no longer accrues until some of the previously accrued time is taken. Once time is taken, PTO again begins to accrue at the usual rate.
- PTO is paid out at time of termination. If your employment terminates and you are re-hired within one year from the date of separation, based on California law PTO will begin accruing on your date of re-hire, any time paid out **will not be** reinstated and you will be eligible to use it immediately.
- Employees are allowed to cash in no greater than 100 hours of PTO every fiscal year. However, the remaining balance may not be less than 24 hours.

**For employees hired before 12/31/2014 PTO benefits including caps**

Length of Service	PTO Hours Accrued Per Bi-weekly Monthly Pay Period	PTO Hours /Cap
Date of hire through 4 <sup>th</sup> anniversary	4.61 hours	120 hours/180 hours
5 – 9 years	5.84 hours	152 hours/228 hours
10 <sup>th</sup> year and greater	6.46 hours	168 hours/252 hours

**For employees hired 1/1/2015 or after PTO benefits including caps.**

Length of Service	PTO Hours Accrued Per Bi-weekly Pay Period	PTO Hours / Cap
Date of hire through 4 <sup>th</sup> anniversary	3.07 hours	80 hours /120 hours
5 – 10 years	4.61 hours	120 hours /184 hours
After ten years	6.15 hours	160 hours /240 hours

In the event an employee’s earned but unused PTO benefit reaches the maximum accrual that is allowed, PTO benefits will cease to accrue until the employee takes enough PTO to fall below the maximum. PTO benefit accruals will then resume until it again reaches the maximum.

**Paid Time Off (PTO) Donation Program**

**Statement of Policy**

RAP Foundation has a leave donation program that is meant to provide assistance to employees who are suffering from a crisis event that has resulted in a need for additional time off in excess of their available PTO. The program allows eligible employees to voluntarily donate time from their available sick leave to their co-workers in accordance with the policy.

This policy is strictly voluntary. The policy does not guarantee any employee the right to extended leave beyond what is provided for by the Foundation's stated policy and its legal obligations. Final approval of receipt of any sick leave donation and of the ability to donate accrued leave rests with CEO.

Donations made under this policy shall be deemed to be equivalent one hour increments and are not based on the job classification or salary of the donating employee or the recipient employee.

**Eligibility to Donate**

In order for you to donate Paid Time Off (PTO) to another employee you must:

- Be employed by RAP Foundation for six (6) months
- Donate PTO in units of 2 hours
- Not be currently on an approved leave of absence

Employees who donate leave are not permitted to exhaust their own PTO balance because they may experience their own need for time off.

**Guidelines for Receipt of Leave Donation**

Employees, who would like to receive donated PTO from co-workers, must have a crisis event as determined by the CEO.

A crisis event includes circumstances such as the following:

- A catastrophic injury or illness of an employee or immediate family member.
- Death of an immediate family member.
- A crisis of a severe nature that directly impacts the employee, such as a catastrophic casualty loss due to a natural disaster.

The donated time can only be used for time off related to the approved crisis event. Recipient employees must use their own available paid time prior to using any donated time. Employees who receive donated PTO may receive no more than 480 hours (12 weeks) within a rolling 12 month period. The leave donation program does not guarantee the recipient employee the right to extended leave beyond the Foundation's stated policy and its legal obligations. The decision as to whether a personal leave should be granted, whether there is a crisis event, or whether the employee can receive donated PTO is within the discretion of RAP Foundation.

Any donated PTO that is in excess of the time used by the recipient for the approved crisis event will be returned to the donor. Donated PTO is tracked separately and has no cash value to the employee receiving the donation.

### **Procedure**

Employees who wish to donate PTO to a co-worker must make a written request to CEO. The request must be approved by CEO.

The identity of donors will remain confidential.

Donations under the program are voluntary and no employee will be subject to intimidation or disparate treatment for participating in or declining to participate in the leave donation program. Misrepresenting or falsifying the need to receive donated leave under this program is grounds for discipline, including termination.

### **Parental Leave**

California law requires employers with 20 to 49 employees to give 12 weeks, unpaid protected leave for the birth of a child, adoption of a child or foster placement.

RAP does not currently employ 20-49 employees and is not required by law to grant parental leave, nor does it choose to.

### **Personal Leave**

A personal leave of absence without pay may be granted at the discretion of the CEO or Board of Directors for the CEO. Requests for personal leave should be limited to unusual circumstances requiring an absence of longer than two weeks. Approved personal absences of shorter duration are not normally treated as leaves, but rather as excused absences without pay.

## **Pregnancy Disability Leave**

Any female employee planning to take pregnancy disability leave should advise the personnel department as early as possible. The individual should make an appointment with the personnel manager to discuss the following conditions:

- Duration of pregnancy disability leave will be determined by the advice of the employee's physician, but employees disabled by pregnancy may take up to four months. Part-time employees are entitled to leave on a pro rata basis. The four months of leave includes any period of time for actual disability caused by the employee's pregnancy, childbirth, or related medical condition. This includes leave for severe morning sickness and for prenatal care.
- RAP Foundation will also reasonably accommodate medical needs related to pregnancy, childbirth, or related conditions or temporarily transfer you to a less strenuous or hazardous position (where one is available) or duties if medically needed because of your pregnancy.
- The Company will continue to pay the company sponsored premium portion of the health/medical benefits while the employee is on pregnancy-related leave.
- Employees who need to take pregnancy disability must inform RAP Foundation when a leave is expected to begin and how long it will likely last. If the need for a leave, reasonable accommodation, or transfer is foreseeable, employees must provide reasonable advance notice at least 30 days before the pregnancy disability leave or transfer is to begin. Employees must consult with the personnel manager regarding the scheduling of any planned medical treatment or supervision in order to minimize disruption to the operations of the Foundation. Any such scheduling is subject to the approval of the employee's health care provider;
- If 30 days' advance notice is not possible, notice must be given as soon as practical;
- Failure to give reasonable advance notice may result in delay of leave, reasonable accommodation, or transfer;
- Pregnancy leave usually begins when ordered by the employee's physician. The employee must provide RAP Foundation with a written certification from a health care provider for need of Pregnancy Disability Leave, (PDL), reasonable accommodation or transfer. The certification must be returned within 15 calendar days. Failure to do so may, in some circumstances, delay PDL leave, reasonable accommodation or transfer. The certification indicating the need for disability leave should contain:
  - A statement that the employee needs to take pregnancy disability leave because they are disabled by pregnancy, childbirth or related medical condition.
  - The date on which the employee became disabled due to pregnancy;
  - The probable duration of the period or periods of disability; and
  - If the employee needs a reasonable accommodation or transfer, a medical certification is sufficient if it contains all of the following: a description of the requested reasonable accommodation or transfer; a statement that describes the medical advisability of the reasonable accommodation or transfer because of pregnancy; and the date on which the need for reasonable accommodation or transfer became/will become medically advisable and the estimated duration of

the reasonable accommodation or transfer.

- Leave returns will be allowed only when the employee's physician sends a release;
- An employee will be allowed, but not required to use accrued PTO (if otherwise eligible to take the time) during a pregnancy disability leave.
- Leave does not need to be taken in one continuous period of time and may be taken intermittently, as needed. Leave may be taken in increments of 1 hour.

If intermittent leave or leave on a reduced work schedule is medically advisable the employee may, in some instances, be required to transfer temporarily to an available alternative position that meets the employee's needs. The alternative position need not consist of equivalent duties, but must have the equivalent rate of pay and benefits. The employee must be qualified for the position. The position must better accommodate the employee's leave requirements than their regular job. Transfer to an alternative position can include altering an existing job to better accommodate the employee's need for intermittent leave or a reduced work schedule.

Upon submission of a medical certification that an employee is able to return to work from a pregnancy disability leave, an employee will be reinstated to their same position held at the time the leave began or, in certain instances, to a comparable position, if available. There are limited exceptions to this policy. An employee returning from a pregnancy disability leave has no greater right to reinstatement than if the employee had been continuously employed.

Employees on pregnancy disability leave will be allowed to continue to participate in group health insurance coverage for up to a maximum of four months of disability leave (if such insurance was provided before the leave was taken) at the level and under the conditions that coverage would have been provided if the employee had continued in employment continuously for the duration of the leave.

In some instances, an employer can recover from an employee premiums paid to maintain health coverage if the employee fails to return following pregnancy disability leave. PDL may impact other benefits or a seniority date. Please contact the personnel department for more information.

### **School Appearances Involving Suspension**

If an employee who is the parent or guardian of a child facing suspension from school is summoned to the school to discuss the matter, the employee should alert their supervisor as soon as possible before leaving work. In agreement with *California Labor Code Section 230.7*, no discriminatory action will be taken against an employee who takes time off for this purpose.

### **Time Off for Voting**

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

notice.

### **Victims of Crime Leave**

An employee who is themselves a victim or who is the family member of a victim of certain serious crimes may take time off from work to attend judicial proceedings related to the crime or to attend proceedings involving rights of the victim.

A family member of a crime victim may be eligible to take this leave if they are the crime victim's spouse, parent, child or sibling. Other family members may also be covered depending on the purpose of the leave.

The absence from work must be in order to attend judicial proceedings or proceedings involving rights of the victim. Only certain crimes are covered. You must provide reasonable advance notice of your need for leave, and documentation related to the proceeding may be required. If advance notice is not possible, you must provide appropriate documentation within a reasonable time after the absence.

Any absence from work to attend judicial proceedings or proceedings involving victim rights will be unpaid, unless you choose to take paid time off.

For more information regarding this leave (including whether you are covered, when and what type of documentation is required, and which type of paid time off can be used), please contact a Foundation representative with day-to-day personnel responsibilities.

### **Volunteer Civil Service Personnel**

No employee shall be disciplined for taking time off to perform emergency duty as a volunteer firefighter, peace officer, or emergency rescue personnel. Employees who perform emergency duty as a volunteer firefighter, reserve peace officer, or emergency rescue personnel may also take up to a total of fourteen days unpaid leave time per calendar year to engage in required fire, law enforcement or emergency rescue training. Please alert your supervisor that you may have to take time off for emergency duty or emergency duty training. When taking time off for emergency duty, please alert your supervisor before doing so when possible.

# Wages

## **Advances**

RAP Foundation does not give advances on wages.

## **Work Schedule**

The work schedule consists normally of five (5) eight (8) hour days. RAP Foundation office hours are 7:30 am and to 6:00 pm. A meal break of 30 minutes, unpaid, will be taken between 11am and 1pm unless another option is approved in writing by a supervisor. Two 10-minute paid breaks will be taken during the day. The RAP Board has adopted a Wellness Policy to encourage employees to walk each day, increasing one of the two breaks to 20 minutes.

## **Workweek**

The Company's seven-day workweek is Sunday 00:01:01 hours to 00:00:00 hours Sunday. Employees may not work more than 11 hours in a day or 40 hours in a workweek as a result of making up time that was or would be lost due to a personal obligation.

## **Overtime**

For employees on alternative workweek schedules, overtime worked on any regularly scheduled workday will be paid at the rate of:

- Time-and-one-half for all hours over 8 and less than 12
- Time-and-one-half for all work performed beyond 40 hours per week.
- Double time for hours after 12 in one day

Overtime will be paid for hours worked on a day that is not a regularly scheduled workday in any workweek, including any seventh consecutive workday, at the rate of:

- Time-and-one-half for the first eight hours in a day
- Double time after eight hours in a day

Unauthorized Overtime is not allowed and will lead to corrective action by the CEO.

## **Makeup Time**

RAP allows the use of makeup time when non-exempt employees need time off to tend to personal obligations. Makeup time worked will not be paid at an overtime rate. Employees may take time off and then make up the time later in the same workweek, or may work extra hours earlier in the workweek to make up for time that will be taken off later in the workweek.

Makeup time requests must be submitted in writing to your supervisor, with your signature, on the Company-provided form. Requests will be considered for approval based on the legitimate business needs of the Company at the time the request is submitted. A separate written

request is required for each occasion the employee requests makeup time.

If you request time off that you will make up later in the week, you must submit your request at least one week if possible but not less than 24 hours in advance of the desired time off. If you request to work makeup time first in order to take time off later in the week, you must submit your request at least before working the makeup time. Your makeup time request must be approved in writing before you take the requested time off or work makeup time, whichever is first.

All makeup time must be worked in the same workweek as the time taken off.

If you take time off and are unable to work the scheduled makeup time for any reason, the hours missed will normally be unpaid. However, your supervisor may arrange with you another day to make up the time if possible, based on scheduling needs. If you work makeup time in advance of time you plan to take off, you must take that time off, even if you no longer need the time off for any reason.

An employee's use of makeup time is completely voluntary. The foundation does not encourage, discourage, or solicit the use of makeup time.

### **Reporting-Time Pay**

RAP Foundation will comply with all applicable regulations regarding reporting-time pay for nonexempt employees.

RAP Foundation will pay a minimum of two hours of pay to employees who are required to report to work on a day other than their normally scheduled workday.

RAP Foundation will not pay employees who report to work but are unable to work under the following circumstances:

- Interruption of work because of the failure of any or all public utilities; or
- Interruption of work because of natural causes or other circumstances beyond the Foundation's power to control.

### **Deductions for Exempt Employees**

Employees paid on a "salary basis" regularly receive a predetermined amount of compensation each pay period. Subject to the exceptions listed below, exempt employees will receive full salary for any workweek in which they perform any work, regardless of the number of days or hours worked. Exempt employees may not be paid for any workweek in which they perform no work, subject to RAP Foundation benefits programs and policies.

No deductions from salary may be made for time when work is not available, provided the exempt employee is ready, willing, and able to work. Deductions from pay are permissible when an exempt employee:

- Is absent from work for one or more full days for personal reasons other than sickness or disability;
- Is absent for one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy, or practice of providing full compensation for salary lost due to illness and the employee has exhausted their leave under this policy;
- Is absent for jury duty or military duty for a full week and performs no work during the week; or
- Works less than a full week during the initial or final week of employment;

Partial day deductions from available accrued PTO balances will also be made by the Foundation when applicable.

It is Foundation policy to comply with these salary basis requirements. Therefore, RAP Foundation prohibits all Foundation managers from making any improper deductions from the salaries of exempt employees. The Foundation wants employees to be aware of this policy and know that the Foundation does not allow deductions that violate federal or state law.

If you believe that an improper deduction from your salary has been made, you should immediately report this information to your direct supervisor, or to CEO

Reports of improper deductions will be investigated promptly. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.

### **Expense Accounts**

RAP Foundation reimburses employees for business expenses on the Last day of the month of each month. Employees who have expense accounts or who have incurred business expenses must submit required receipts and the Expense report check request to accounting no later than the 25th of each month.

If you have any questions about the Foundation's expense reimbursement policy, contact the CEO. Personal and/or vacation travel may be combined with business travel provided there is no additional cost to RAP Foundation, and it meets with the approval of the CEO. RAP Foundation credit cards are not to be used for personal expenses.

### **Mileage reimbursement**

A valid driver's license issued within the United States and personal automobile insurance are required for expenses to be reimbursed. Drivers should be aware of the extent of coverage (if any) provided by their automobile insurance company for travel that is business or not personal in nature.

Reimbursement for use of a personal automobile is based on the current IRS mileage rate.

## Meal and Rest Periods

### Rest Breaks

All nonexempt employees are entitled to rest break periods during their workday. If you are a nonexempt employee, you will be paid for all such break periods, and you will not clock out. You are required to remain on the work premises during your rest break(s). You are expected to return to work promptly at the end of any rest break.

You will be authorized and permitted one (1) 10-minute net rest break for every four (4) hours you work (or major fraction thereof, which is defined as any amount of time over two [2] hours). A rest break need not be authorized for employees whose total daily work time is less than three and one half (3.5) hours.

If you work a shift from three and one-half (3.5) to six (6) hours in length you will be entitled to one (1) ten-minute rest break. If you work more than six (6) hours and up to 10 hours, you will be entitled to two (2) ten-minute rest breaks. If you work more than 10 hours and up to 14 hours, you will be entitled to three (3) ten-minute rest breaks.

### Timing of Rest Breaks

You are authorized and permitted to take a rest break in the middle of each four hour work period.

There may be practical considerations that make this general timing infeasible and that require RAP Foundation to deviate from this general rule. You will be informed if there are practical considerations that make this timing infeasible.

Your rest break will be scheduled by Individual employees

### Meal Period

All nonexempt employees will be provided an uninterrupted unpaid meal period of at least 30 minutes if you work more than five (5) hours in a workday. **You must clock out for your meal period.** You will be permitted a reasonable opportunity to take this meal period, and you will be relieved of all duty. During your meal period, you are free to come and go as you please and are free to leave the premises. You are expected to return to work promptly at the end of any meal period.

If your total work period for the day is more than five hours per day but no more than six hours, you may waive the meal period. This cannot be done without the mutual consent of you and your supervisor. You must discuss any such waiver with your supervisor in advance. The waiver must be in writing.

### Timing of Meal Period

Your meal period will be provided no later than the end of your fifth hour of work. For example, if you begin work at 8:00 a.m., you must start your meal period by 12:59 p.m. (which is before the

end of your fifth hour of work).

Your meal period will be scheduled by individual employee

### **Second Meal Period**

If you work more than 10 hours in a day, you will be provided a second, unpaid meal period of at least 30 minutes. Again, you must clock out for your meal period. You will be permitted a reasonable opportunity to take this meal period, and you will be relieved of all duty. There will be no control over your activities during your meal period. During your meal period, you are free to leave the premises and are free to come and go as you please. You are expected to return to work promptly at the end of any meal period.

Depending on the circumstances, you may be able to waive your second meal period if you took the first meal period and if your total hours worked for the day is no more than twelve hours. This cannot be done without the mutual consent of you and your supervisor and must be in writing. You must discuss any such waiver with your supervisor in advance.

### **Timing of Second Meal Period**

This second meal period will be provided no later than the end of your 10th hour of work. For example, if you begin work at 8:00 a.m., you must start your second meal period by 5:59 p.m. (which is before the end of your tenth hour of work).

Your second meal period will be scheduled by the CEO.

### **Recording Meal Periods**

You must clock out for any meal period and record the start and end of the meal period.

Employees are not allowed to work "off the clock." All work time must be accurately reported on your time record.

If for any reason you are not provided a meal period in accordance with our policy, or if you are in any way discouraged or impeded from taking your meal period or from taking the full amount of time allotted to you, please immediately notify CEO.

Anytime you miss a meal period that was provided to you (or you work any portion of a provided meal period), you will be required to report to Office Manager and document the reason for the missed meal period or time worked.

There are no exceptions to the rest break and meal period rules. No supervisor or department chair may request or require an employee not to take a meal or rest break. Employees should consult with Human Resources if any supervisor requests or instructs the employee not to take rest or meal periods as outlined in this policy.

Please also refer to the RAP Foundation Timekeeping Policy.

### **Overtime for Nonexempt Employees**

Employees may be required to work overtime as necessary. Only actual hours worked in a given workday or workweek can apply in calculating overtime. RAP Foundation will attempt to distribute overtime evenly and accommodate individual schedules. All overtime work must be previously authorized by a supervisor. RAP Foundation provides compensation for all overtime hours worked by non-exempt employees in accordance with state and federal law as follows:

- All hours worked in excess 40 hours in one workweek will be treated as overtime. A workday begins at 00:01:01 hours and ends at midnight 24 hours later. Workweeks begin each Sunday at 00:01:01 hours and end at 0000 hours on Sunday;
- Compensation for hours in excess of 40 for the workweek, and not more than 12 for the workday, and for the first eight hours on the seventh consecutive day of work in one workweek, shall be paid at a rate one and one-half times the employee's regular rate of pay;
- Compensation for hours in excess of 12 in one workday and in excess of eight on the seventh consecutive workday in a workweek shall be paid at double the regular rate of pay; and
- Exempt employees may have to work hours beyond their normal schedules as work demands require. No overtime compensation will be paid to exempt employees.

### **Pay for Mandatory Meetings/Training**

RAP Foundation will pay non-exempt employees for their attendance at meetings, lectures, and training programs under the following conditions:

- Attendance is mandatory;
- The meeting, course, or lecture is directly related to the employee's job;
- The employee who is required to attend such meetings lectures or training programs will be notified of the necessity for such attendance by their supervisor;
- The employee will be paid at the then applicable minimum wage for time spent at meetings, lectures, and training programs if the employee does not perform any productive work during such attendance;
- Employees who do perform productive work during attendance at meetings, lectures or training programs will be compensated at their regular rate of pay; and
- Any hours in excess of 40 in a week will be paid at the appropriate overtime rate, at the hourly rate in effect at the time the overtime work is being performed.

### **Payment of Wages**

Paychecks are normally available at the RAP Office. If you observe an error on your check, please report it immediately to your supervisor.

All employees of RAP Foundation are paid every other Friday for work performed during the previous two-week pay period. If a regular payday falls on a holiday, employees will be paid on the workday before the holiday.

RAP Foundation offers automatic payroll deposit. You may begin and stop automatic payroll deposit at any time. To begin automatic payroll deposit, you must complete a form (available from the payroll department) and return it to payroll at least 10 days before the pay period for which you would like the service to begin. You should carefully monitor your payroll deposit statements for the first two pay periods after the service begins.

To stop automatic payroll deposit, complete the form available from the payroll department and return it to payroll at least 10 days before the pay period for which you would like the service to end. You will receive a regular payroll check on the first pay period after the receipt of the form, provided it is received no later than 10 days before the end of the pay period.

### **Timekeeping Requirements**

All nonexempt employees are required to record time worked for payroll purposes. All time worked must be accurately reported on your time record.

Employees must record their own time at the start and at the end of each work period. A One Week Planner is due, at the latest, each Friday by noon, prior to the start of the next week. Employees must clock out for their meal period and record the start and end of the meal period.

Employees are not allowed to work "off the clock." Working off the clock violates Foundation policy.

Employees will be required to certify that their time record is accurate.

Any handwritten marks or changes on the timecard must be initialed by a supervisor. Changing another employee's timecard, allowing another employee to change your timecard, or altering a timecard is not permissible and is subject to disciplinary action.

Any errors on your timecard should be reported immediately to your supervisor.

Please also refer to RAP Foundation's Meal and Rest Break Policy.

# Safety and Health

### **Drug (including marijuana) and Alcohol Abuse**

RAP is concerned about the use of alcohol, recreational marijuana, illegal drugs or controlled substances as it affects the workplace. Use of these substances, whether on or off the job can detract from an employee's work performance, efficiency, safety, and health, and seriously impair Company operations. In addition, the use or possession of these substances on the job constitutes a potential danger to the welfare and safety of other employees and exposes the Company to the risks of property loss or damage, or injury to other persons.

The following rules and standards of conduct apply to all employees while on Company property, at work, or working on Company business. The following are strictly prohibited by Company policy:

- Being under the influence of, or impaired by, an illegal or controlled substance, alcohol or marijuana while on the job.
- Using or possessing illegal or controlled substances, alcohol or marijuana while on the job (including the illegal use of prescription drugs and possessing drug paraphernalia)
- Distributing, selling, or purchasing of an illegal or controlled substance, alcohol or marijuana while on the job.

Violation of these rules and standards of conduct will not be tolerated. RAP also may bring the matter to the attention of appropriate law enforcement authorities.

In order to enforce this policy, RAP reserves the right to conduct searches of Company property or employees and/or their personal property, and to implement other measures necessary to deter and detect abuse of this policy.

An employee's conviction on a charge of illegal sale or possession of any controlled substance while off Company property will not be tolerated because such conduct, even though off duty, reflects adversely on RAP. In addition, the Company must keep people who sell or possess controlled substances off Company premises in order to keep the controlled substances themselves off the premises.

RAP will encourage and reasonably accommodate employees with alcohol, marijuana or drug dependencies to seek treatment and/or rehabilitation. Employees desiring such assistance should request a treatment or rehabilitation leave. The Company is not obligated, however, to continue to employ any person whose performance of essential job duties is impaired because of drug, alcohol or marijuana use. Additionally, employees who are given the opportunity to seek treatment and/or rehabilitation, but fail to successfully overcome their dependency or problem, will not automatically be reemployed or be given a second opportunity to seek treatment and/or rehabilitation. This policy on treatment and rehabilitation is not intended to affect the Company's treatment of employees who violate the regulations described previously. Rather, rehabilitation is an option for an employee who acknowledges a chemical dependency and voluntarily seeks treatment to end that dependency.

### **Employees Who Are Requested to Drive**

Employees who are required to drive a Foundation vehicle or their own vehicles on Foundation business will be required to show proof of current valid driving licenses and current effective insurance coverage before the first day of employment.

RAP Foundation participates in a system that regularly checks state Department of Motor Vehicles (DMV) records of all employees who drive as part of their job.

RAP Foundation retains the right to transfer to an alternative position, suspend, or terminate an employee whose license is revoked, or who fails to maintain personal automobile insurance coverage or who is uninsurable under the Foundation's policy.

Employees who drive their own vehicles on Foundation business will be reimbursed at the most current IRS approved reimbursement rate. The mileage is determined to be from the lesser of the distance from the work related destination to the RAP office or employee's home, depending on which is more convenient for the employee.

### **News Media Contacts**

Employees may be approached for interviews or comments by the news media. Only contact people designated by the CEO may comment to news reporters on RAP Foundation policy or events relevant to RAP Foundation.

This policy does not limit an employee's right to discuss the terms and conditions of their employment, or to try and improve these conditions.

### **Prohibited Use of Foundation Cell Phone While Driving**

In the interest of the safety of our employees and other drivers, RAP Foundation employees are prohibited from using cell phones (including all smart phones) while driving on Foundation business and/or Foundation time.

If your job requires that you keep your cell phone turned on while you are driving, you must use a hands-free device. Under no circumstances should employees place phone calls while operating a motor vehicle while driving on Foundation business and/or Foundation time. The Foundation recommends preprogramming frequently used numbers into your phone rather than looking up numbers before dialing them. Violating this policy is a violation of law and a violation of Foundation rules.

Writing, sending, or reading text-based communication - including text messaging, instant messaging, e-mail, web browsing and use of smart phone applications - on any wireless device or cell phone while driving is also prohibited under this policy unless the device is specifically designed and configured to allow voice-operated and hands-free operation to dictate, send, or listen, and it is used in that manner while driving.

Violating this policy is a violation of law and a violation of Foundation rules.

### **Employees Under Age 18**

A person under the age of 18 years is prohibited from driving a motor vehicle while using a wireless telephone, even if equipped with a hands-free device, or while using a mobile service device. The prohibition would not apply to such a person using a wireless telephone or a mobile

service device for emergency purposes. Violating this policy is a violation of law and a violation of Foundation rules.

Writing, sending, or reading text-based communication - including text messaging, instant messaging, e-mail, web browsing and use of smart phone applications - on a wireless device or cell phone while driving is also prohibited under this policy. Violating this policy is a violation of law and a violation of Foundation rules.

You must safely pull off the road before conducting Foundation business on cell phone.

### **Health and Safety**

All employees are responsible for their own safety, as well as that of others in the workplace. To help us maintain a safe workplace, everyone must be safety-conscious at all times. You are required to report all work-related injuries or illnesses immediately to your supervisor or to the CEO. In compliance with California law, and to promote the concept of a safe workplace, RAP Foundation maintains an Injury and Illness Prevention Program. The Injury and Illness Prevention Program is available for review by employees and/or employee representatives in the CEO's office.

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

### **Inclement Weather/Natural Disasters**

In the event of severe weather or a natural disaster that prevents employees from safely traveling to and from work, the following leave policies will apply:

- Inclement weather: Conditions that excuse absence from work may include but are not limited to: sand storms, road closure, earthquake, severe heat. If weather conditions prevent you from safely traveling to work, you must notify Executive Assistant or CEO by phone, if telephone service is functional, or by any other available means. Absences will be unpaid or will be deducted from accumulated vacation time.
- In the event of a natural disaster, the office will be closed if the building is damaged or highways leading to the office are damaged. For instructions on reporting to another location, contact the office immediately, if possible or contact the CEO or Executive Assistant.

### **Recreational Activities and Programs**

RAP Foundation or its insurer will not be liable for payment of workers' compensation benefits for any injury that arises out of an employee's voluntary participation in any off-duty recreational, social, or athletic activity that is not part of the employee's work-related duties.

### **Security**

RAP Foundation has developed guidelines to help maintain a secure workplace. Be aware of

persons loitering for no apparent reason in parking areas, walkways, entrances and exits, and service areas. Report any suspicious persons or activities to security personnel. Secure your desk or office at the end of the day. When called away from your work area for an extended length of time, do not leave valuable and/or personal articles in or around your workstation that may be accessible. The security of facilities as well as the welfare of our employees depends upon the alertness and sensitivity of every individual to potential security risks. You should immediately notify your supervisor when unknown persons are acting in a suspicious manner in or around the facilities, or when keys, security passes, or identification badges are missing.

The Foundation's workplace security program is described in detail in the Foundation's Illness and Injury Prevention Program (IIPP).

### **Workplace Violence**

RAP Foundation has adopted the following workplace violence policy to ensure a safe working environment for all employees.

The Foundation has zero tolerance for acts of violence and threats of violence. Without exception, acts and threats of violence are not permitted. All such acts and threats, even those made in apparent jest, will be taken seriously, and will lead to discipline up to and including termination.

Possession of non-work related weapons on Foundation premises and at Foundation-sponsored events shall constitute a threat of violence.

It is every employee's responsibility to assist in establishing and maintaining a violence-free work environment. Therefore, each employee is expected and encouraged to report any incident which may be threatening to you or your co-workers or any event which you reasonably believe is threatening or violent.

You may report an incident to any supervisor or manager.

A threat includes, but is not limited to, any indication of intent to harm a person or damage Foundation property. Threats may be direct or indirect, and they may be communicated verbally or nonverbally. The following are examples of threats and acts that shall be considered violent - this list is in no way all-inclusive:

<b>Example</b>	<b>Type of Threat</b>
Saying, "Do you want to see your next birthday?"	Indirect
Writing, "Employees who kill their supervisors have the right idea."	Indirect
Saying, "I'm going to punch your lights out."	Direct
Making a hitting motion or obscene gesture	Nonverbal
Displaying weapons	Extreme
Stalking or otherwise forcing undue attention on someone, whether romantic or hostile	Extreme
Taking actions likely to cause bodily harm or property damage	Acts of violence

The Foundation's workplace violence program is described in detail in the Foundation's Illness and Injury Prevention Program (IIPP).

# Benefits

## **Benefits Overview**

- Regional Access Project Foundation provides a comprehensive medical insurance plan for eligible employees including medical and limited vision, dental and life insurance coverage for the full and part time, permanent employee only. Each employee may choose from available health care plans with the Foundation determined by the CEO and approved by the Board of Directors. Coverage for dependents or spouses over and above the maximum \$900 monthly allowance may be obtained at the cost of the employee. This cost may be paid through payroll deductions.
- All employees are eligible for medical insurance at their hiring date. In the event of an increase in medical insurance premium rates that exceeds the cap placed on premiums annually by the Board of Directors, all employees may be required to contribute to the cost of increased premiums to retain coverage or will be provided with information required by the Affordable care Act (ACA) regarding the Health Marketplace.

## **Unemployment Compensation**

Regional Access Project Foundation contributes thousands of dollars each year to the California Unemployment Insurance Fund on behalf of its employees.

## **Social Security**

Social Security is a part of every employee's retirement benefit. Regional Access Project Foundation pays a matching contribution to each employee's Social Security taxes.

## **Retirement Plan**

Regional Access Project Foundation provides a Simple 401 (K) plan for eligible employees in order to assist in planning for their retirement. For information regarding eligibility, contributions, benefits, and tax status, contact the Controller/Accountant. All eligible participants will receive a summary plan description. The Foundation contributes up to 5% of the employee contribution.

## **Training / Conferences**

Some employees may need to attend training programs, seminars, conferences, lectures, meetings, or other outside activities for the benefit of the RAP Foundation or the individual employees. Attendance at such activities, whether required by the Foundation or requested by individual employees, requires the written approval of the CEO. To obtain approval, any employee wishing to attend an activity must provide a written request detailing all relevant information, including the date(s), hours, location, any cost, expenses, and the nature, purpose, and justification for attendance. Attendance at any such event is subject to the following policies on reimbursement and compensation.

For attendance at events required or authorized by the Foundation, customary and reasonable expenses will be reimbursed upon submission of proper receipts. Acceptable expenses generally include registration fees, materials, meals, transportation, hotel accommodations and parking. Reimbursement policies regarding these expenses should be discussed with the CEO in advance.

Employee attendance at authorized outside activities will be considered hours worked for non-exempt employees and will be compensated in accordance with normal payroll practices.

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

**Salaried Exempt Employees** - The Regional Access Project Foundation, Inc., upon approval by the Board of Directors, on a case by case basis, shall permit time off from work to attend classes, and, either pay at the start of courses, or by reimbursement, full (100%) education and approved associated costs for exempt employees provided that:

- 1.) The course is job related
- 2.) The course is satisfactorily completed
- 3.) The course has been approved by the Board of Directors
- 4.) Employee is employed for the duration of the course
- 5.) Completion of the course benefits the Foundation
- 6.) The employee has been an employee for a minimum of one year
- 7.) The employee shall (a) agree to continue as an employee of the Foundation for one year past completion of the course or reimburse the Foundation for course costs;

OR

(b) The employee shall increase revenue into the Foundation in excess of the total amount paid by the Foundation for course and associated costs.

**Office and Clerical Employees** - The Regional Access Project Foundation, Inc., upon approval by the Chief Executive Officer and the Board of Directors, on a case by case basis, shall permit time off from work to attend classes, and, either pay at the start of courses, or by reimbursement, for education and approved associated costs for office and clerical employees provided that:

- 1.) The course is job related
- 2.) The course is satisfactorily completed

- 3.) The course has been approved by the Executive Director
- 5.) Employee is employed for the duration of the course
- 6.) Completion of the course benefits the Foundation
- 7.) The employee has been an employee for a minimum of one year
- 8.) The employee shall (a) agree to continue as a employee of the Foundation for one year past completion of the course or reimburse the Foundation for course costs;

OR

(b) The employee shall increase revenue into the Foundation in excess of the total amount paid by the Foundation for course and associated costs.

Employees that enroll in college to earn a degree in course work that will benefit RAP are eligible for \$ 350 per class upon earning a Satisfactory Grade (C or better) for a maximum of \$1500 per fiscal year. Employees will be allowed to flex their work schedule to accommodate class attendance, but will be required to work the 40 hours per week or take PTO.

### **Holidays**

For the 2019 calendar year, RAP Foundation observes the following paid holidays:

- New Year's Day
- Martin Luther King Jr.'s Birthday
- Presidents' Day
- Memorial Day-
- July 4th (Independence Day)
- Labor Day
- Thanksgiving Day and the Friday after
- Christmas Day

Deleted Lincoln's, Columbus and Veteran's Day to exchange for period between Dec. 26 to Dec. 31.

RAP offices are closed from December 25 through January 1 for the holiday season.

When a holiday falls on a Saturday or Sunday it is usually observed on the preceding Friday or the following Monday. However, Regional Access Project Foundation may close on another day. Holiday observance will be announced in advance.

Each non-exempt employee's eligibility for holiday pay begins after completion of their Introductory Period. An eligible employee regularly scheduled to work on the day on which the

holiday is observed and the office is closed, may elect to use that holiday as a floating holiday within the following 12 months. Floating holidays not taken within the specified 12 month period, will be forfeited. The employee must notify payroll, in writing two weeks before the holiday that their intention is to bank that day as a floating holiday. To be eligible you must work your regularly scheduled working days immediately preceding and immediately following the holiday, unless an absence on either day is approved in advance by your supervisor or the absence is otherwise protected by law. If you are required to work on a paid scheduled holiday you will receive straight time.

### **Religious Holiday Accommodation**

In order to reasonably accommodate the religious needs of employees, time off for religious observances that are not Company observed may be taken, without pay, under the following conditions:

- Employees must give reasonable advance notice to their manager in order to ensure adequate staffing. Reasonable notice is considered to be a minimum of 14 consecutive calendar days.
- Each regularly scheduled workday that is requested as a religious observance holiday will require individual review and prior approval by the employee's manager.

At the employee's option, unused vacation or sick leave, if available, may be taken for religious holiday absences.

### **Holiday Time**

When a Foundation-paid holiday falls on a day when employees have a flex scheduled day off, employees may elect to use that holiday as a floating holiday within the following 12 months. Floating holidays not taken within the specified 12 month period, will be forfeited. The employee must notify payroll, in writing two weeks before the holiday that their intention is to bank that day as a floating holiday. Paid holidays will be paid at the rate of a normally scheduled workday.

# Management

### **Employee Property**

An employee's personal property, including but not limited to lockers, packages, purses, and backpacks, may be inspected upon reasonable suspicion of unauthorized possession of RAP Foundation property, possession of dangerous weapons or firearms, or abuse of the Foundation's drug and alcohol policy.

### **Employment of Relatives**

Relatives of employees may be eligible for employment with RAP Foundation only if individuals involved do not work in a direct supervisory relationship, or in job positions in which there is a conflict of interest. The Foundation defines "relatives" as spouses, registered domestic partners, children, siblings, parents, in-laws, and step-relatives. Present employees who marry or become registered domestic partners will be permitted to continue working in the job position held only if they do not work in a direct supervisory relationship with one another or in job positions involving conflict of interest.

### **Names and Addresses Policy**

RAP Foundation is required by law to keep current all employees' names and addresses. Employees are responsible for notifying the Foundation in the event of a name or address change.

### **Performance Evaluations**

Each employee will receive periodic performance reviews conducted by CEO. Your first performance evaluation will take place after an introductory period of 90 days. Subsequent performance evaluations will be conducted annually at end of fiscal year. The frequency of performance evaluations may vary depending upon length of service, job position, past performance, changes in job duties, or recurring performance problems.

Your performance evaluations may review factors such as the quality and quantity of the work you perform, your knowledge of the job, your initiative, your work attitude, and your attitude toward others. The performance evaluations are intended to make you aware of your progress, areas for improvement, and objectives or goals for future work performance. Favorable performance evaluations do not guarantee increases in salary or promotions. Salary increases and promotions are solely within the discretion of RAP Foundation and depend upon many factors in addition to performance. After the review, you will be required to sign the evaluation report simply to acknowledge that it has been presented to you, that you have discussed it with your supervisor, and that you are aware of its contents.

### **Open-Door Policy**

Suggestions for improving RAP Foundation are always welcome. At some time, you may have a complaint, suggestion, or question about your job, your working conditions, or the treatment you are receiving. Your good-faith complaints, questions, and suggestions also are of concern to the Foundation. We ask you to first discuss your concerns with your supervisor, following these steps:

- Within a week of the occurrence, bring the situation to the attention of your immediate supervisor, who will then investigate and provide a solution or explanation.
- If the problem persists, you may present it to the CEO, who will investigate and provide a solution or explanation. While a written complaint will assist us in investigating your concerns, it is not required that you put your complaint in writing. If you need assistance with your complaint, or you prefer to make a complaint in person, contact the CEO. We encourage you to bring the matter to the CEO as soon as possible after you believe that your immediate supervisor has failed to resolve it.
- If the problem is not resolved, you may present the problem to the Board Chair RAP Foundation, who will attempt to reach a final resolution.

This procedure, which we believe is important for both you and the Foundation, cannot guarantee that every problem will be resolved to your satisfaction. However, RAP Foundation values your observations and you should feel free to raise issues of concern, in good faith, without the fear of retaliation.

### **Personnel Records**

You have a right to inspect or receive a copy of the personnel records that RAP Foundation maintains relating to your performance or to any grievance concerning you. Certain documents may be excluded or redacted from your personnel file by law, and there are legal limitations on the number of requests that can be made.

Any request to inspect or copy personnel records must be made in writing to the CEO. You can obtain a form for making such a written request from the CEO.

You may designate a representative to conduct the inspection of the records or receive a copy of the records. However, any designated representative must be authorized by you in writing to inspect or receive a copy of the records. RAP Foundation may take reasonable steps to verify the identity of any representative you have designated in writing to inspect or receive a copy of your personnel records.

The personnel records may be made available to you either at the place where you work or at a mutually agreeable location (with no loss of compensation for going to that location to inspect or copy the records). The records will be made available no later than 30 calendar days from the date RAP Foundation receives your written request to inspect or copy your personnel records (unless you/your representative and RAP Foundation mutually agree in writing to a date beyond 30 calendar days but no later than 35 calendar days from receipt of the written request).

If you request a copy of the contents of your file, you will be charged the actual cost of copying.

Disclosure of personnel information to outside sources, other than your designated representative, will be limited. However, RAP Foundation will cooperate with request from authorized law enforcement or local, state, or federal agencies conducting official investigations and as otherwise legally required.

### **Off-Duty Conduct**

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

Off-duty conduct by an employee that directly conflicts with the Foundation's essential business interests and disrupts business operations will not be tolerated.

### **Political Activity**

Many employees participate in political activities on their own time. Foundation time, facilities, property or equipment (including all computers, networks, and electronic equipment) must not be used for an employee's outside political activities. RAP Foundation will not reimburse any employee for political contributions, and employees should not attempt to receive or facilitate such reimbursements.

Absent a formal statement by RAP Foundation announcing any political endorsements, employees must not, through their own actions, speech, contributions, or written communication, mislead others to believe that RAP Foundation officially endorses or opposes any candidates for political office that RAP Foundation itself has not publicly announced. Foundation employees are entitled to their own personal position.

The Foundation will not discriminate against employees based on their lawful political activity engaged in outside of work.

### **Disciplinary Process**

To ensure proper employee conduct in the workplace, violations of Company policies or standards will result in corrective action appropriate to the employee's conduct. Nothing in this Employee Handbook or management's discretionary use of corrective action creates any expressed or implied contract modifying an at-will employment relationship. Furthermore, no one has the authority to change this at-will relationship by any actions, practices, course of conduct, length of service, awards, transfers, promotions, promises, or statements. The at-will relationship can only be modified by an individual written employment agreement signed by the CEO and by the employee. Without modifying this mutual at-will relationship in any way, the Company may choose to utilize corrective action as described in this policy.

Corrective action procedures may include a verbal counseling, written warnings, suspension, and discharge. The Company may use any form of corrective action deemed appropriate to the situation. The use of any corrective action is completely within the sole discretion of management. Giving corrective action warnings in one instance does not require the Company to use such warnings in any other instances, nor does it modify the at-will employment relationship in any way. Accordingly, the Company reserves the right to utilize any corrective action, including discharge on a "first time" basis.

## **Prohibited Conduct**

Employees are expected to conduct themselves in a manner to further the Foundation's objectives. The following conduct is prohibited and will not be tolerated by RAP Foundation. This list of prohibited conduct is illustrative only; other types of conduct that threaten security, personal safety, employee welfare and Foundation operations also may be prohibited and will result in disciplinary action up to and including termination.

- Falsifying employment records, employment information, or other Foundation records (note that employment information includes Social Security Numbers and any other documents used to verify identity and ability to work in the United States);
- Inefficient or careless performance of job responsibilities or inability to perform job duties satisfactorily;
- Recording the work time of another employee or allowing any other employee to record your work time, or falsifying any time card, either your own or another employee's;
- Theft and deliberate or careless damage or destruction of any Foundation property, or the property of any employee or customer;
- Removing or borrowing Foundation property without prior authorization;
- Unauthorized use or misuse of Foundation equipment, time, materials, or facilities;
- Provoking a fight or fighting during working hours or on Foundation property;
- Participating in horseplay or practical jokes on Foundation time or on Foundation premises;
- Carrying firearms or any other dangerous weapons on Foundation premises at any time;
- Engaging in criminal conduct whether or not related to job performance;
- Causing, creating, or participating in a disruption of any kind during working hours on Foundation property;
- Insubordination, including but not limited to failure or refusal to obey the orders or instructions of a supervisor or member of management, or the use of abusive or threatening language toward a supervisor or member of management;
- Using abusive, threatening or intimidating language at any time on Foundation premises;
- Failing to notify a supervisor when unable to report to work;
- Unreported absence of 3 days
- Failing to obtain permission to leave work for any reason during normal working hours; not including meal periods
- Failing to observe working schedules, including rest and lunch periods;
- Failing to provide a physician's certificate when requested or required to do so;
- Sleeping or malingering on the job;
- Making or accepting personal telephone calls, including cell phone calls, of more than three minutes in duration during working hours, except in cases of emergency or extreme circumstances;
- Working overtime without authorization or refusing to work assigned overtime;

- Violation of dress standards;
- Violating any safety, health, security or Foundation policy, rule, procedure or violation of the Foundation's drug and alcohol policy;
- Committing a fraudulent act or a breach of trust under any circumstances;
- Committing of or involvement in any act of unlawful harassment of another individual; including using social media
- Failing to promptly report work-related injury or illness.

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

### **Punctuality and Attendance**

As an employee of RAP Foundation, you are expected to be punctual and regular in attendance. Any tardiness or absence causes problems for your fellow employees and your supervisor. When you are absent, your assigned work must be performed by others.

Employees are expected to report to work as scheduled, on time, and prepared to start work. Employees also are expected to remain at work for their entire work schedule, except for meal periods or when required to leave on authorized Foundation business. Late arrival, early departure, or other unanticipated and unapproved absences from scheduled hours are disruptive and must be avoided.

If you are unable to report for work on any particular day, you must under all but the most extenuating circumstances call the Executive Assistant and the CEO at least 1 hour before shift begins before the time you are scheduled to begin working for that day. If you call less than 1 hour before shift begins before your scheduled time to begin work and do not arrive in time for your assigned shift, you will be considered tardy for that day. In all cases of absence or tardiness, employees must provide their supervisor with an honest reason or explanation. Employees also must inform their supervisor of the expected duration of any absence. Excessive absenteeism or tardiness will not be tolerated. RAP Foundation defines excessive absenteeism as more than 10 days absence in a 3 month period.

If you fail to report for work without any notification to your supervisor and your absence continues for a period of 3 days RAP Foundation will consider that you have voluntarily abandoned or quit your employment.

Absences protected by state and federal law do not count as a violation of this policy.

# **Employee Conduct**

### **Business Conduct and Ethics**

No employee may accept a gift or gratuity from any customer, vendor, supplier, or other person doing business with RAP Foundation because doing so may give the appearance of influencing business decisions, transactions or service. Please discuss expenses paid by such persons for business meals or trips with the CEO in advance.

### **Conducting Personal Business**

Employees are to conduct only RAP Foundation business while at work. Employees may not conduct personal business or business for another employer during their scheduled working hours.

### **Confidential Information**

Each employee is responsible for safeguarding the confidential information obtained during employment.

In the course of your work, you may have access to confidential information regarding RAP Foundation, its suppliers, its customers, or perhaps even fellow employees. You have a responsibility to prevent revealing or divulging any such information unless it is necessary for you to do so in the performance of your duties. Access to confidential information should be on a "need-to-know" basis and must be authorized by your supervisor. Any breach of this policy will not be tolerated and legal action may be taken by the Foundation.

This policy does not prohibit employees from confidentially disclosing trade secret, proprietary or confidential information to federal, state and local government officials, or to an attorney, when done to report or investigate a suspected violation of the law. Employees may also disclose the information in certain court proceedings if specific procedures to protect the information are followed. Nothing in this policy is intended to conflict with 18 U.S.C. sec. 1833(b) or create liability for disclosures of trade secrets that are expressly allowed by 18 U.S.C. sec. 1833(b).

### **Conflicts of Interest**

All employees must avoid situations involving actual conflict of interest. Personal or romantic involvement with a competitor, supplier, or subordinate employee of RAP Foundation, which impairs an employee's ability to exercise good judgment on behalf of the Foundation, can create an actual conflict of interest. Supervisor-subordinate romantic or personal relationships also can lead to supervisory problems, possible claims of sexual harassment, and morale problems.

An employee involved in any of the types of relationships or situations described in this policy should immediately and fully disclose the relevant circumstances to his or her immediate supervisor, or any other appropriate supervisor, for a determination about whether an actual conflict exists. If an actual conflict is determined, RAP Foundation may take whatever corrective action appears appropriate according to the circumstances. Failure to disclose facts shall constitute grounds for disciplinary action.

## **Dress Codes and Other Personal Standards**

**Purpose** - This dress code is intended to specify acceptable practices that support a high standard of excellence and professionalism.

**Policy** - The appearance of employees is important to the total operation and effectiveness of RAP. A well-groomed and professional appearance helps create favorable impressions, whereas appearance that distracts customers, visitors and fellow employees does not reflect the type of impression that is appropriate to the environment. Exceptions can be made only with prior approval of management.

**Standards of Dress** -The formality of dress may reflect the employee's duties and degree of public contact. The following is the minimum level of formality expected for particular types of duties:

- Manual labor: jeans, polo shirt, boots or athletic shoes.
- Community Work: khaki pants, polo shirt, closed toe shoes.
- Business Presentations: business attire such as a men's suit, skirted suit, pant suit, dress with jacket, appropriate hosiery and shoes.
- Business casual: chino pants, Capri pants, polo shirt, dress shoes.

Employee dress should be professional at all times, but may vary to suit contemporary standards in consideration of the environment.

Regardless of formality, male and female attire shall be neat, clean, modest, without tears, holes or fraying, and free from offending odors and shall meet the highest professional standard of good taste.

**Clothing-** Clothing can be any color, pattern, and fabric which is in fashion and appropriate for business wear.

### **Female Attire**

- Acceptable attire includes: dresses, culottes, jumpers, blouses, sweaters, skirts, pants-trousers, and jackets, sleeveless shell/blouses or dress.
- Acceptable hemline lengths range from 2" above the knee to mid-calf.
- Slits in skirts and dresses should be conservative and in good taste.
- Unacceptable attire includes: stretch pants, leggings, tank tops, T-shirts, sweat shirts, sweat pants, leather pants, low necklines, obvious bralessness, very sheer fabric, bare midribs and shoulders, and excessively tight clothing. Also see specific sections below pertaining to jeans and shoes.

### **Male Attire**

- Acceptable attire includes: suits, jackets, trousers, shirts with collars, sweaters, and polo shirts.
- Trousers should skim the top of the shoe.

- Shirts should be buttoned conservatively and in good taste.
- Shirt with tails should be tucked in trousers.
- Unacceptable attire includes tank tops, T-shirts, sweat shirts, sweat pants, leather pants, low necklines, bare shoulders, and excessively tight clothing. Also see specific sections below pertaining to jeans and shoes.

**Shoes-** Shoes should be appropriate to the style of dress and safe for work activities. The following are not permitted: athletic shoes, thongs, clogs, house slippers, shoes without a flexible sole, and boots not intended for business wear (except when necessary for manual labor). Tennis shoes may be worn only during field assignments.

**Jeans-** Jeans and overalls of denim material are only acceptable for manual labor and should be clean, neat, un-faded, and un-frayed.

### **Hair/Make-Up**

- Hair must be clean, neat and styled for business wear.
- Sideburns, mustaches, beards and goatees must be neat, clean, and properly trimmed.
- Makeup should be soft and complimentary in keeping with appropriate business appearance.
- Hands and nails should be clean. Nails should be of a length that does not interfere with work duties.

### **Miscellaneous**

- For your personal safety, only jewelry that is modest and conservative in design is permitted. Heavy chains, dangling, ear rings, and excessively ornate rings can create a safety hazard and are not allowed.
- Buttons provided as part of a RAP advertising or communications program are permissible. Any other type of button such as political campaign buttons, religious statements, and miscellaneous slogans are not permitted.
- Sunglasses, unless they contain photosensitive prescription lenses or are medically required, should not be worn indoors.
- Shirts with printed messages offensive to the reasonable person are considered to be unacceptable attire.

Management and supervisors are responsible for employee behavior and

performance. Accordingly, management and supervisors will set the tone for department appearance. Management and supervisors will counsel anyone whose dress and general personal appearance does not reflect the spirit of these guidelines. The first unacceptable violation will result in a written notice, and for subsequent incidents the violator may be requested to return home on their own time to change into more appropriate attire.

**Summer Casual Dress**

**Alternative A**

Business casual wear is a style of dress. It is not play wear, leisurewear, or beachwear. Clothing and footwear should be clean and in good repair – i.e., not faded, torn or frayed. Listed below are some guidelines of what APPROPRIATE and INAPPROPRIATE attire may include when determining business casual attire.

	Appropriate	Inappropriate
<i>TOPS</i>		
Polo-type shirts (with RAP logo)	x	
Collared shirts open at the collar	x	
Short-sleeved or sleeveless dresses, shirts or tops	x	
Dresses or tops with spaghetti straps		x
Low front or low back dresses, blouses or shirts		x
Tank tops		x
Tee shirts		x
<i>BOTTOMS</i>		
Casual pants (khaki or "dockers")	x	
Casual skirts or culottes	x	
Jeans (denim and colored)		x
Shorts, skorts, dresses or jumpsuits that look like shorts		x
Gym or sweat pants or workout wear		x
Leggings		x
<i>FOOTWEAR</i>		
Loafers	x	
Flat shoes	x	
Dress Sandals	x	
Sneakers, tennis shoes		x
Casual Sandals, thons or flip-flops		x

### **Alternative B**

As an alternative to the guidelines for "Tops" described in Alternative A, Employees may wish to consider wearing a RAP polo shirt with our logo. Professional image and quality service go hand-in-hand to promote a total positive image to our public. Many contemporary companies and corporations have successfully endorsed logo attire as an option that promotes a sense of team, corporate identity, and a neat option for casual attire. This would provide a means to promote our own form of pride and "brand" recognition for RAP.

Implementing a business casual dress policy for the summer months will be well received by employees and will assist in their productivity and comfort with warmer temperatures in the area.

Summer period is from June 1<sup>st</sup> to September 30<sup>th</sup>.

Employees whose "religious dress practice" consists of wearing or carrying of religious clothing, head or face coverings, jewelry, artifacts, and any other item that is part of the observance by an employee of his or her religious creed and/or employees whose "Religious grooming practice" includes head, facial, and/or body hair that are part of the observance by an employee of his or her religious creed, will be reasonably accommodated, so long as the accommodation does not create and/or present an Undue Hardship on RAP's Company's business operations or finances.

This dress code policy will not be enforced in a manner that discriminates against anyone based on a protected class, such as race, sex, gender identity or gender expression, religion, national origin or any other class protected by federal, state or local law. For more information, see the *Harassment, Discrimination and Retaliation Prevention* policy. Employees who need a reasonable accommodation because of religious beliefs, observances or practices should contact a company representative with day-to-day personnel responsibility and discuss the need for accommodation.

# Termination

### **Employee References**

All requests for references must be directed to the CEO. No other manager, supervisor, or employee is authorized to release references for current or former employees.

By policy, RAP Foundation discloses only the dates of employment and the title of the last position held of former employees.

### **Involuntary Termination**

Employees of RAP are employed on an at-will basis, and the company retains the right to terminate an employee at any time.

### **Reductions in Force**

Under some circumstances, RAP Foundation may need to restructure or reduce its workforce. If restructuring our operations or reducing the number of employees becomes necessary, the Foundation will attempt to provide advance notice, if possible, to help prepare affected individuals. If possible, employees subject to layoff will be informed of the nature of the layoff and the foreseeable duration of the layoff, whether short-term or indefinite.

In determining which employees will be subject to layoff, RAP Foundation will take into account, among other things, operation and requirements, the skill, productivity, ability, and past performance of those involved, and also, when feasible, the employee's length of service.

### **Voluntary Resignation**

Voluntary resignation results when an employee voluntarily quits his or her employment at RAP Foundation, or fails to report to work for three consecutively scheduled workdays without notice to, or approval by, his or her supervisor. All Foundation-owned property, including vehicles, keys, uniforms, identification badges, and credit cards, must be returned immediately upon termination of employment.

# Foundation Property

### **Housekeeping**

All employees are expected to keep their work areas clean and organized. People using common areas such as lunch rooms, and restrooms are expected to keep them sanitary. Please clean up after meals and dispose of trash properly.

The refrigerator will be cleaned out the last Wednesday of every month. Items not clearly marked will be thrown away.

### **Lactation Policy**

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

We will make reasonable efforts to provide employees who need a lactation accommodation with the use of a room or other private location that is located close to the employee's work area. Employees with private offices will be required to use their offices to express breast milk.

Employees who desire lactation accommodations should contact their supervisor or CEO to request accommodations.

Discrimination on the basis of sex includes discrimination based on breastfeeding and related medical conditions, is unlawful.

### **Electronic and Social Media**

This policy is intended to protect the Foundation's computer systems and electronic information.

For purposes of these policies, the following definitions apply: "Computers" are defined as desktop computers, laptops, handheld devices (including but not limited to iPhones, Black berries, smart phones, iPads, and other electronic tablets and cell phones), computer software/hardware and servers, and .

RAP Foundation also uses various forms of electronic communication. Electronic communications includes e-mail, text messages, telephones, cell phones and other handheld devices (such as cell phones, Blackberries or smart phones or writing tablets or iPads), fax machines, and online services including the Internet.

"Electronic information" is any information created by an employee using computers or any means of electronic communication, including but not limited to data, messages, multimedia data, and files.

The following general policies apply:

- Computers and all data transmitted through RAP Foundation servers are Foundation property owned by the Foundation for the purpose of conducting Foundation business. These items must be maintained according to RAP Foundation rules and regulations.

Computers must be kept clean and employees must exercise care to prevent loss and damage. Prior authorization must be obtained before any Foundation property may be removed from the premises.

- All electronic communications also remain the sole property of RAP Foundation and are to be used for Foundation business. For example, email messages are considered Foundation records.
- Electronic information created by an employee using any computer or any means of electronic communication is also the property of RAP Foundation and remains the property of RAP Foundation.
- Information stored in RAP Foundation computers and file servers, including without limitation Board and staff personal information is the property of the Foundation and may not be distributed outside the Foundation in any form whatsoever without the written permission of the CEO.
- Violation of any of the provisions of this policy, whether intentional or not, will subject RAP Foundation employees to disciplinary action, up to and including termination.

### **Monitoring of Foundation Property**

RAP Foundation reserves the right to inspect all Foundation property to ensure compliance with its rules and regulations, without notice to the employee and at any time, not necessarily in the employee's presence. RAP Foundation computers and all electronic communications and electronic information are subject to monitoring and no one should expect privacy regarding such use. The Foundation reserves the right to access, review and monitor electronic files, information, messages, text messages, e-mail, Internet history, browser-based webmail systems and other digital archives and to access, review and monitor the use of computers, software, and electronic communications to ensure that no misuse or violation of Foundation policy or any law occurs. E-mail may be monitored by the Foundation and there is no expectation of privacy. Assume that e-mail may be accessed, forwarded, read or heard by someone other than the intended recipient, even if marked as "private."

Employee passwords may be used for purposes of security but the use of a password does not affect the Foundation's ownership of the electronic information or ability to monitor the information. The Foundation may override an employee's password for any reason.

Employees are not permitted to access the electronic communications of other employees or third parties unless directed to do so by RAP Foundation management.

### **Prohibited Use**

All existing Foundation policies apply to employee use of computers, electronic communications, electronic information, and the Internet. This includes policies that deal with misuse of Foundation assets or resources. It is a violation of RAP Foundation policy to use computers, electronic communications, electronic information, or the Internet, in a manner that: is discriminatory harassing or obscene; constitutes copyright or trademark infringement; violates software licensing rules; is illegal; or is against RAP Foundation policy. It is also a violation of policy to use computers, electronic communications, electronic information, or the Internet to communicate confidential or sensitive information or trade secrets.

The display of any kind of sexually explicit multimedia content, message, or document on any Foundation computer is a violation of the Foundation's policy against sexual harassment. This description of prohibited usage is not exhaustive and it is within the discretion of RAP Foundation to determine if there has been a violation of this policy. Employees that engage in prohibited use will be subject to discipline and/or immediate termination. This policy is not intended to limit the ability of employees to discuss with other employees the terms and conditions of their employment, including such topics as wages, job performance, workload, supervisors, or staffing.

### **Computer and Internet Use**

RAP Foundation provides computers, electronic communications, electronic information, and information technology resources, including the Internet, to its employees to help them do their job. Generally, these Foundation resources should be used for business related purposes. However, the Foundation recognizes that occasional personal use of these Foundation resources and property may occur during working time. The Foundation allows such occasional personal use as long as the usage does not interfere with the employee's work performance, take away from work time, consume supplies, slow other users, slow the servers or computer systems, or tie up printers or other shared resources, or violate any Foundation policy, including policies against harassment, discrimination and disclosure of confidential or trade secret information. All policies relating to monitoring usage of Foundation property apply. RAP Foundation reserves the right to adjust this policy on a case by case basis as it deems appropriate.

### **Social Media**

Social media is a set of Internet tools that aid in the facilitation of interaction between people online. If you have specific questions about which programs the Foundation deems to be social media, consult with the CEO. The Foundation recognizes that occasional personal use of social media using Foundation resources may occur during working hours. The Foundation allows such occasional personal use as long as the usage does not interfere with the employee's work performance, take away from work time, consume supplies, slow other users, slow the servers or computer systems, or tie up printers or other shared resources, or violate any Foundation policy, including policies against harassment, discrimination and disclosure of confidential or trade secret information. All policies relating to monitoring usage of Foundation property apply. RAP Foundation reserves the right to adjust this policy on a case by case basis as it deems appropriate.

### **Employee-owned Devices**

RAP Foundation recognizes that occasional use of the employee's own computers (including hand held devices) and electronic communications may occur during working. The Foundation allows such occasional personal use as long as the usage does not interfere with the employee's work performance, take away from work time or violate any Foundation policy. All other Foundation policies, including the Foundation's no tolerance for discrimination, harassment or retaliation and protection of confidential or trade secret information, apply.

RAP Foundation reserves the right to adjust this policy on a case by case basis as it deems appropriate.

Employees can use their own personal devices to engage in social media during breaks and meal periods. Nothing in the Foundation's social media policy is designed to interfere with, restrain or prevent employee communications regarding wages, hours or other terms and conditions of employment.

### **Parking**

Employees may park their vehicles in designated areas, if space permits. If space is unavailable, employees must park in permissible public areas in the vicinity of RAP. Employees may not use parking areas specifically designated for customers, vendors, Foundation vehicles, or reserved for managers. RAP Foundation is not responsible for any loss or damage to employee vehicles or contents while parked on Foundation property.

### **Smoking**

Smoking is not allowed in any enclosed area of the facility. The smoking prohibition applies to all smoking devices, including, but not limited to, the use of electronic smoking devices, such as electronic cigarettes, pipes, hookahs, and vaping devices.

# **Confirmation of Receipt**

**Confirmation of Receipt**

I have received my copy of the Foundation's employee handbook. I understand and agree that it is my responsibility to read and familiarize myself with the policies and procedures contained in the handbook.

I understand and agree that nothing in the employee handbook creates or is intended to create a promise or representation of continued employment and that employment at RAP Foundation is employment at-will; employment may be terminated at the will of either the Foundation or myself. My signature certifies that I understand that the foregoing agreement on at-will status is the sole and entire agreement between RAP Foundation and myself concerning the duration of my employment and the circumstances under which my employment may be terminated. It supersedes all prior agreements, understandings, and representations concerning my employment with RAP Foundation.

I understand that except for employment at-will status, any and all policies or practices can be changed at any time by the Foundation. RAP Foundation reserves the right to change my hours, wages, and working conditions at any time. I understand and agree that other than the CEO no manager, or supervisor, has authority to enter into any agreement, express or implied, for employment for any specific period of time, or to make any agreement for employment other than at-will; unless such agreement is in writing, signed by the CEO and employee.

Employee's Signature \_\_\_\_\_

Employee's Printed Name \_\_\_\_\_

Date \_\_\_\_\_