



## Employee Handbook

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This Employee Handbook replaces and supersedes all prior Peace of Mind Dog Rescue Handbooks

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## INTRODUCTION

Welcome to Peace of Mind Dog Rescue (“POMDR”). We hope that your employment experience will prove to be challenging, but at the same time both rewarding and enjoyable.

This Employee Handbook (the “Handbook”) is intended to provide you with an overview of POMDR’s policies and practices, and we hope that you will use it as a guide during the course of your employment. Please review the material contained in this Handbook thoroughly. This Handbook is not a contract, express or implied, that guarantees employment for any specific length of time. Although POMDR hopes that the employment relationship will be rewarding for you and POMDR, either POMDR or you can end the employment relationship at any time, with or without cause, and with or without prior notice.

While the Handbook is comprehensive, it is impossible to address every issue that might arise during the course of your employment. If you have additional questions, POMDR asks that you please ask your supervisor for clarification of any of the policies contained herein.

Please note that, with the exception of the policy regarding at-will employment, which can only be changed in a written agreement approved by the Board of Directors and signed by the Executive Director of POMDR and the employee or the employee’s representative, POMDR reserves the right to revise, modify, supplement, and/or rescind any of the policies contained in this Handbook from time to time as may be necessary. Employees will be notified of revisions and/or updates to the Handbook.

This Handbook, dated December 2024, contains the policies and practices in effect at the time of publication, and supersedes and replaces all previously issued employment handbooks, personnel policies, and procedures handbooks, and any inconsistent policy or benefit statement or memoranda.

The policies in this Handbook are adopted to promote the legitimate and substantial business interests of POMDR. They are not intended to interfere with or burden employees’ right to participate in concerted activity, such as communicating with their co-workers regarding their wages, hours, or terms and conditions of employment, or with any other rights protected under the National Labor Relations Act (NLRA). If any employee believes any of POMDR’s policies contained in this Handbook would interfere with any employee’s protected rights under the NLRA, the employee is encouraged—but not required—to contact the Executive Director so that the Executive Director can explain the policy’s purpose and POMDR’s desire to not interfere with employees’ protected rights.

### About Us

POMDR is a 501(c)(3) nonprofit organization founded in October 2009. Our mission is to be a resource and advocate for senior dogs and senior people on California’s Central Coast. We focus on helping dogs and people from Monterey, Santa Cruz, and San Benito counties.

We find loving homes for dogs whose guardians can no longer care for them and for senior dogs in shelters. We also provide volunteer and financial assistance so seniors can keep their pets

with them as long as possible. In addition, we make pre-arrangements to take in dogs should their guardians become unable to care for them.

We have a lifetime commitment to all the dogs who come into our care. They will either be adopted into a wonderful, permanent home, or will live out their lives in one of our foster homes.

We help senior citizens pay for veterinary care for their dogs if they are unable to afford medical expenses. We also provide temporary foster care for people who are hospitalized and dog walking for people who are no longer able to walk their dogs.

POMDR is led by a dedicated board and staff. POMDR is also supported by a network of over 1,200 volunteers who help with foster care, adoption events, transportation, office work, fundraising, and other tasks as they come up.

Our vision is to model lifetime care for dogs and all companion animals to help bring about a positive change in the way society thinks about and treats senior dogs, and to create better lives for them through rescue, foster, adoption, hospice, and education.

## EMPLOYMENT POLICIES

### At-Will Employment

All employees of POMDR are at-will employees. This means that both you and POMDR may terminate the employment relationship at any time, with or without reason or cause, and at any time with or without prior notice. Nothing contained in this Handbook (or any other document) should be construed as a guarantee of long-term employment, or of employment for any particular length of time.

Although other POMDR policies and procedures may change from time to time, this employment “at-will” agreement will remain in effect throughout your employment with POMDR, unless it is specifically modified by an express written agreement signed by you (or your representative) and the Executive Director and approved in advance by the Board of Directors. No one other than the Executive Director, acting upon approval by the Board of Directors, can enter into an agreement for employment for a specified period of time or make any agreement contrary to the policy of at-will employment. This employment “at-will” agreement may not be modified by any oral or implied agreement.

This policy is not intended to interfere with employees’ right to participate in concerted activity such as communicating with their co-workers regarding their wages, hours, or terms and conditions of employment, or with any other rights protected under the National Labor Relations Act.

### Employee Rights Under the National Labor Relations Act

Section 7 of the National Labor Relations Act (“the Act”) guarantees employees the right

to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, as well as the right to refrain from any or all such activities. Section 8(a)(1) of the Act makes it an unfair labor practice for an employer to interfere with, restrain or coerce employees in the exercise of the rights guaranteed in Section 7 of the Act.

Nothing in this Handbook will be interpreted, applied or enforced to interfere with, restrain or coerce employees in the exercise of their rights under Section 7 of the National Labor Relations Act. To the extent that you are an employee covered by the act, nothing in this Handbook prevents you from:

- a) Organizing a union to negotiate with the company concerning your wages, hours, and other terms and conditions of employment.
- b) Forming, joining or assisting a union, such as by sharing employee contact information; talking about or soliciting for a union during nonwork time, such as before or after work or during break times; or distributing union literature during nonwork time, in nonwork areas.
- c) Discussing wages and other working conditions with co-workers or a union.
- d) Taking action with one or more co-workers to improve working conditions by, among other means, raising work-related complaints directly with the employer or with a government agency, or seeking help from a union; striking and picketing, depending on its purpose and means; and taking photographs or other recordings in the workplace, together with co-workers, to document or improve working conditions, except where an overriding employer interest is present.
- e) Wearing union hats, buttons, t-shirts and pins in the workplace.
- f) Choosing not to engage in any of these activities.

### “Open Door” Policy

POMDR values the relationships it has with its employees. We strive to create an atmosphere of mutual trust and respect by being honest, fair, and consistent, and we invite open and honest communication. We encourage communication among employees and welcome ideas and suggestions for improvements within POMDR.

POMDR has an “open door” policy that encourages employee participation in decisions affecting them and their daily professional responsibilities. Employees who have job-related concerns or complaints are encouraged to talk them over with their supervisor. POMDR believes that employee concerns are best addressed through this type of informal and open communication.

No POMDR employee will be disciplined or otherwise penalized for raising a good-faith concern.

Employees are encouraged to raise work-related concerns with their supervisor or Executive Director as soon as possible after the event that causes the concern. POMDR will attempt to keep all such expressions of concern, their investigation, and the terms of their resolution confidential. However, in the course of investigating and addressing the concern, some dissemination of information to others may be appropriate.

Nothing in this policy is intended to interfere with employees' right to participate in concerted activity, such as communicating with co-workers regarding their wages, hours, or terms and conditions of employment, or with any other rights protected under the National Labor Relations Act.

### **Immigration Law Compliance**

POMDR is committed to full compliance with federal immigration laws and will not unlawfully discriminate on the basis of citizenship or national origin. All offers of employment are contingent on verification of your right to work in the United States. You will be asked to provide original documents verifying your right to work in the United States within three days of your first day of work, as required by federal law. If at that time you cannot verify your right to work in the United States, POMDR may terminate your employment. You will also be asked to sign Federal Form I-9, Employment Eligibility Verification Form, no later than your first day of work. Furthermore, as to employees who have presented documents subject to re-verification pursuant to federal law, if you at any time cannot verify your right to work in the United States, POMDR may terminate your employment.

### **Equal Employment Opportunity**

POMDR is an equal employment opportunity employer. POMDR will not discriminate against qualified applicants or employees with respect to any terms or conditions of employment based on race (including traits historically associated with race such as hair texture and protective hairstyles), color, creed, religion (including religious dress and religious grooming), sex (including pregnancy, perceived pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity (defined as each person's internal understanding of their gender or perception of a person's gender identity, which may include male, female, neither male nor female, a gender different from the person's sex assigned at birth, or transgender), gender expression (defined as a person's gender-related appearance or behavior, or the perception of such appearance or behavior, whether or not stereotypically associated with the person's sex assigned at birth), marital status, registered domestic partner status, age, sexual orientation, military or veteran status, citizenship, national origin or ancestry, physical or mental disability, legally protected medical condition or information, genetic information, reproductive health decisionmaking (defined as a person's decision to use or access a particular drug, device, product, or medical service for reproductive health), or any other basis protected by federal, state, or local laws. POMDR prohibits discrimination on the basis of individual protected characteristics and on the basis of the intersectionality (e.g., combination) of two or more protected characteristics.

POMDR is committed to complying with all applicable laws providing equal employment opportunities to qualified individuals with a disability. Accordingly, POMDR will make

reasonable accommodations in accordance with the Americans with Disabilities Act (“ADA”) and the California Fair Employment and Housing Act (“FEHA”) for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee, unless undue hardship would result.

Any applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact the Executive Director and request an accommodation. POMDR and the applicant or employee will engage in an interactive process to identify and evaluate possible accommodations. If an accommodation is identified that is reasonable and will not impose an undue hardship, POMDR will make the accommodation. Regardless of whether the request is granted, POMDR will not retaliate against any employee or applicant who requests an accommodation.

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

POMDR is committed to providing a work environment that is free of harassment, discrimination, and retaliation. The purpose of this policy is to promote equal employment opportunity to succeed in the workplace and to assist all persons in understanding their rights, duties, and obligations. In keeping with this policy, POMDR strictly prohibits discrimination and harassment of any kind, including discrimination and harassment on the basis of sex (including pregnancy, perceived pregnancy, childbirth, breastfeeding, or related medical conditions), race (including traits historically associated with race such as hair texture and protective hairstyles), color, religion (including religious dress and religious grooming), gender, gender identity (defined as each person’s internal understanding of their gender or perception of a person’s gender identity, which may include male, female, neither male nor female, a gender different from the person’s sex assigned at birth, or transgender), gender expression (defined as a person’s gender-related appearance or behavior, or the perception of such appearance or behavior, whether or not stereotypically associated with the person’s sex assigned at birth), age, mental or physical disability, medical condition, national origin, citizenship, ancestry, marital status, registered domestic partner status, military or veteran status, sexual orientation, legally protected medical condition or information, genetic information, reproductive health decisionmaking (defined as a person’s decision to use or access a particular drug, device, product, or medical service for reproductive health), or any other characteristic protected under Federal or State law or local ordinance. This policy also prohibits harassment and discrimination based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics. POMDR prohibits discrimination, harassment and retaliation on the basis of individual protected characteristics and on the basis of the intersectionality (e.g., combination) of two or more protected characteristics, or the perception that anyone has or is associated with anyone who has any of these protected characteristics or combination of those characteristics.

POMDR’s policy against harassment, discrimination, and retaliation applies to all persons involved in the operation of POMDR and prohibits unlawful harassment, discrimination, and retaliation by any employee of POMDR, including supervisors, co-workers, independent contractors, paid or unpaid interns, and volunteers, and by clients, suppliers, vendors, visitors, business partners, and others doing business with POMDR with whom employees come into contact during the course of their work for POMDR.



POMDR also prohibits abusive and hostile conduct in the workplace, which is conduct undertaken with malice that a reasonable person would find hostile, offensive, and unrelated to POMDR's legitimate business interests. Abusive conduct may include repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the gratuitous sabotage or undermining of a person's work performance.

This policy also prohibits discrimination and harassment in the form of sexual favoritism, which occurs when individuals are qualified for but are denied an employment opportunity or benefit because the person who received the employment opportunity or benefit submitted to sexual advances or requests. Favoritism or preferential treatment in the terms and conditions of employment on the basis of sexual conduct, sexual attraction, appearance, and/or physical characteristics or attributes is also prohibited.

This policy also prohibits harassment and discrimination in the form of sex stereotyping. As used in this policy, the term "sex stereotype" means an assumption about a person's appearance or behavior, or about an individual's ability or inability to perform certain kinds of work based on a myth, social expectation, or generalization about the individual's sex.

In addition, this policy prohibits discrimination and harassment against an individual who is transitioning, has transitioned, or is perceived to be transitioning. "Transitioning" in this context refers to a process some transgender people go through to begin living as the gender with which they identify, rather than the sex assigned to them at birth. This process may include, but is not limited to, changes in name and pronoun usage, facility usage, participation in employer-sponsored activities (e.g. sports teams, team-building projects, or volunteering), or undergoing hormone therapy, surgeries, or other medical procedures.

POMDR's policy also prohibits retaliation of any kind against individuals who file complaints or who assist POMDR's investigation of a harassment, discrimination, or retaliation complaint.

### Harassment Defined

Harassment includes verbal, visual, or physical conduct that creates an intimidating, offensive, or hostile working environment or that interferes with an employee's work performance. Sexual harassment is defined as any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature which (1) has been made either explicitly or implicitly a term or condition of an individual's employment, (2) is used as a basis for employment decisions such as promotions and benefits affecting such individual, or (3) substantially interferes with an individual's work performance or creates an intimidating, hostile, or offensive working environment.

Harassing conduct can take many forms, but the most common forms may include, but are not limited to, the following:

- Verbal Harassment such as epithets, vulgar or derogatory jokes or comments, slurs, negative stereotyping, and unwelcome remarks when directed at an individual based on a protected characteristic listed in this policy, including but not limited to references to women as “honey,” “doll,” or “sweetheart,” questions about a person’s sexual practices, or patronizing terms or remarks;
- Physical Harassment such as physical interference with normal work, impeding or blocking another’s movement, assault, unwelcome physical contact, leering, staring at a person’s body, physically interfering with normal work or movement, and threatening, intimidating, or hostile acts when directed at an individual based on a protected characteristic listed in this policy;
- Visual Harassment such as offensive, derogatory, sexually oriented, or obscene photographs, calendars, posters, cards, cartoons, drawings, gestures, the display of sexually suggestive or lewd objects, email, computer graphics or images, unwelcome notes or letters, and any other written or graphic material that denigrates or shows hostility or an aversion toward an individual because of a protected characteristic, that is placed on walls, bulletin boards, or elsewhere on POMDR’s premises or circulated in the workplace; and
- Sexual Favors such as unwanted sexual advances, which condition an employment benefit upon an exchange of sexual favors.

Sexually harassing conduct may be either “quid pro quo” or “hostile work environment” sexual harassment.

- “Quid pro quo” (Latin for “this for that”) sexual harassment is characterized by explicit or implicit conditioning of a job or promotion on an applicant or employee’s submission to sexual advances or other conduct based on sex.
- “Hostile work environment” sexual harassment occurs when unwelcome comments or conduct based on sex unreasonably interfere with an employee’s work performance or create an intimidating, hostile, or offensive work environment.

Sexual harassment need not be motivated by sexual desire. Sexual harassment can occur between any individuals, including harassment of women by men, of men by women, and same-sex and gender-based harassment. Harassers can be a superior, a subordinate, a co-worker, or anyone in the workplace, including a contract worker, partner, vendor, client, or visitor.

#### Reporting and Investigating Harassing, Discriminatory, and/or Retaliatory Conduct

Anyone who believes that the comments, gestures, or conduct of any manager, supervisor, employee, co-worker, paid or unpaid intern, volunteer, contractor, client, visitor, business partner, vendor, supplier, or other person doing business with or for POMDR is harassing, discriminatory, retaliatory, or constitutes misconduct in violation of this policy, is required to

immediately report the facts of the incident verbally or in writing to the employee's or to the Executive Director. Any harassing conduct, even a single incident, should be reported in accordance with this policy, so that any violation of this policy can be corrected promptly.

The report may be verbal or written and should include details of the incident or incidents, names of the individuals involved, and names of any witnesses. No adverse action will be taken against an employee who makes a report or cooperates in the investigation of a report of harassment, discrimination, or retaliation. Any supervisor who receives a complaint or report of harassment, discrimination, or retaliation must immediately report such complaint to the Executive Director or President of the Board of Directors so that the complaint can be investigated in accordance with this policy. POMDR will keep the complaint and investigation confidential to the extent possible.

POMDR policy is to have a qualified individual conduct a prompt, thorough, and objective investigation of any complaint that is made and provide all parties appropriate due process. POMDR will document and track the investigation to ensure reasonable progress. At the conclusion of its investigation, POMDR will evaluate whether harassment, discrimination, or retaliation has occurred based on the evidence collected. POMDR will look at the totality of the circumstances, including the nature of the conduct and the context in which it occurred, and will determine appropriate options for remedial actions and resolutions where necessary. If it determines that harassment, discrimination, or retaliation has occurred, POMDR will, as promptly as possible, communicate its findings, including the remedial action (if any) to be taken, to the accused and to the complainant, and, when appropriate, to any other persons who are directly concerned. POMDR will keep the complaint and investigation confidential to the extent possible.

#### Corrective Action

If POMDR determines that harassment, discrimination, or retaliation has occurred, POMDR will take corrective or remedial action commensurate with the severity of the offense. This action may include disciplinary action against the person accused of discrimination or harassment, up to and including termination of employment. Steps will be taken, as necessary, to prevent any further discrimination and harassment.

#### No Retaliation

No individual will suffer any reprisals or retaliation for reporting or making a complaint or for participating in any investigation of any incidents of harassment, discrimination, or retaliation or perceived discrimination or harassment.

#### Additional Enforcement Action

POMDR encourages all employees to immediately report any incidents of harassment, discrimination, retaliation, or misconduct prohibited by this policy so that complaints can be resolved promptly. In addition, affected individuals may direct complaints to the Federal Equal Employment Opportunity Commission ("EEOC") and the California Civil Rights Department ("CRD") investigate and prosecute complaints of prohibited discrimination and harassment in

employment. If you think that you have been discriminated against or harassed, or that you have been retaliated against for resisting such behavior or for complaining about it, you may file a complaint with the CRD or the EEOC. The nearest CRD and EEOC branch offices are listed in the telephone book or can be found online. Additionally, employees may access the CRD's sexual harassment online training courses at <https://calcivilrights.ca.gov/shpt>.

### Employee Classifications

The categories of employment at POMDR are as follows:

Introductory: The first ninety (90) days of employment at POMDR is considered an Introductory Period. During this time, you will become acquainted with your fellow employees and the requirements of your position. The Introductory Period will also give POMDR the opportunity to evaluate your suitability for employment and will allow you to evaluate POMDR as well. POMDR retains the sole discretion to extend the Introductory Period beyond ninety (90) days if it so desires. Please note that completion of the Introductory Period does not guarantee continued employment, as employment is always at-will, meaning either the employee or POMDR may terminate the employment relationship at any time during or after the Introductory Period, with or without cause or advance notice.

Regular Full-Time: Employees who have completed their Introductory Period and who regularly work at least forty (40) hours per week.

Regular Part-Time: Employees who have completed their Introductory Period and who regularly work fewer than forty (40) hours per week.

Exempt Employees: Exempt employees are those employees not covered by the overtime provisions of state and federal law and are therefore not eligible for overtime pay. Such employees are typically salaried employees, such as managers, supervisors, and administrators who meet the requirements for exempt status under state and federal law. You will be informed if you are employed in an exempt position.

Non-Exempt Employees: Non-Exempt employees receive hourly pay, meal and rest periods, and overtime pay in accordance with applicable laws.

## WORKPLACE CONDUCT

### Employee Conduct and Work Rules

This Employee Conduct and Work Rules policy is intended to promote the legitimate and substantial business interests of POMDR including compliance with California and federal laws including laws prohibiting harassment, discrimination, retaliation and abusive conduct, and clearly communicating to employees and others the workplace rules concerning behaving cooperatively, respectfully, professionally, and ethically to promote a safe and efficient workplace for all employees. This Employee Conduct and Work Rules policy is not intended to interfere

with or burden employees' right to participate in concerted activity, such as communicating with their co-workers regarding their wages, hours, or terms and conditions of employment, or with any other rights protected under the National Labor Relations Act (NLRA). If any employee believes this policy or any of POMDR's policies contained in this Handbook would interfere with any employee's protected rights under the NLRA, the employee is encouraged—but not required—to contact the Executive Director so that the Executive Director can explain the policy's purpose and POMDR's desire to not interfere with employees' protected rights. To assure orderly operations and provide a good work environment, POMDR requires all employees to follow certain rules of conduct that will protect the interests and safety of POMDR employees, clients, and the community. By accepting employment with us, you have a responsibility to POMDR and to your fellow employees to adhere to certain standards of behavior and conduct. It is not feasible to list all forms of behavior that are considered unacceptable in the workplace. Accordingly, conduct that is unacceptable to POMDR, whether specifically listed below or not, may result in discipline up to and including termination of employment, even for a first offense.

Examples of unacceptable conduct which may lead to discipline, up to and including termination of employment, include, but are not limited to:

1. Falsification of employment records, employment information or other POMDR records.
2. Recording the work time of another employee or allowing any other employee to record your work time, or allowing falsification of any time record, either your own or another employee's.
3. Theft, deliberate or careless damage or destruction of any POMDR property or the property of any employee, volunteer, intern, client, or anyone doing business with POMDR.
4. Removing or borrowing POMDR equipment, time, materials, or facilities without authorization.
5. Fighting during working hours or on POMDR premises.
6. Abusive or inconsiderate treatment of, or language toward POMDR employees, interns, clients, volunteers, suppliers, vendors, or the public, which a reasonable person would find hostile, and unrelated to POMDR's legitimate business interests.
7. Carrying firearms or any other dangerous weapons on POMDR's premises at any time.
8. Threatening, intimidating, coercing, or otherwise interfering with the job performance of fellow employees.
9. Failing to work cooperatively and respectfully with co-workers, interns, clients, volunteers, suppliers, vendors, or the public.

10. Insubordination, including but not limited to, failure or refusal to obey the orders or instructions of a supervisor or manager, or the use of abusive or threatening language toward a supervisor or co-worker.
11. Failing to notify a supervisor when unable to report to work.
12. Failing to notify your supervisor prior to leaving work for any reason during normal working hours.
13. Failing to observe working schedules.
14. Working overtime without authorization or refusing to work assigned overtime.
15. Violating POMDR's Harassment, Discrimination, and Retaliation Prevention policy.
16. Violating POMDR's Drug- and Alcohol-Free Workplace policy.
17. Violating any safety, health, security, or POMDR policies, rules, or procedures.
18. Committing a fraudulent act or a breach of trust under any circumstances.
19. Violating any POMDR policy.

Employees should be aware that conduct not specifically listed above but which adversely affects or is otherwise detrimental to the interests of clients or other employees may also be prohibited. Your employment is for an unspecified term and is at the mutual consent of you and POMDR. Consequently, the employment relationship can be terminated at will, at any time, either by you or POMDR, with or without cause or advance notice.

### Drug- and Alcohol-Free Workplace Policy

POMDR recognizes the importance of maintaining a safe, efficient, and healthy work environment for its employees, and is therefore committed to providing an alcohol- and drug-free work environment. In keeping with this commitment, POMDR has adopted the following policy to ensure that employees perform their duties safely, efficiently, and in a manner that protects employees, co-workers, volunteers, clients, and the community. Being under the influence of any drug and/or alcoholic beverage on the job poses serious risks to the health and safety of POMDR employees, clients, and others conducting business with POMDR. POMDR has therefore adopted a strict policy regarding the use or possession of drugs and/or alcohol while on the job, while driving a vehicle on POMDR business, or while on POMDR property. All employees must adhere to the rules stated in this policy. Any violation of this policy may result in disciplinary action, up to and including termination of employment.

#### Prohibited Conduct

POMDR's Drug- and Alcohol-Free Workplace Policy strictly prohibits the unlawful manufacture, distribution, dispensing, use, possession, sale or attempted sale, or purchase of

alcohol, drugs, including marijuana used recreationally or medically, or controlled substances by its employees while on duty, using POMDR property, driving a vehicle for POMDR business or on POMDR premises. “Controlled substance” means those substances defined as such by the federal Controlled Substances Act, and includes marijuana, even if medically prescribed or used for recreational purposes.

Legally prescribed medications, other than marijuana, are excluded from this rule and are permitted only to the extent that the use of such medications does not adversely affect the employee’s work ability, job performance, or the safety of that individual or others. Using, possessing, selling, purchasing, or being under the influence of marijuana, even if prescribed, is prohibited. If there is a reasonable suspicion that an employee’s use of prescription or non-prescription drugs adversely affect the employee’s work ability, job performance, or the safety of that individual or others, the employee may be suspended from work in order to determine if the use of such medication limits the employee’s ability to safely perform the essential functions of the employee’s job.

POMDR may provide alcohol for consumption at certain events (e.g., social functions, POMDR mixers). The modest consumption of alcohol at these events does not violate this policy so long as it does not result in the employee being under the influence or impaired by alcohol consumption.

#### Policy Enforcement

In order to promote a safe, productive, and efficient workplace, POMDR reserves the right to inspect desks, boxes, packages, lunch boxes, purses, briefcases, backpacks, containers, and other objects brought onto POMDR property that might conceal alcohol, marijuana, and/or illegal drugs. Employees should have no expectation of privacy in POMDR property. Failure to cooperate with a requested inspection may result in immediate termination of employment.

POMDR reserves the right to take all appropriate and lawful actions where there is reasonable cause to believe an employee has violated its Drug- and Alcohol-Free Workplace Policy. When an employee’s behavior causes reasonable suspicion that the employee may be impaired by drugs or alcohol and unable to safely perform the employee’s job, or therefore may pose a risk to POMDR employees, clients, or the public, the employee may be suspended pending an investigation.

#### Smoke-Free Workplace

California law prohibits smoking in the workplace. POMDR complies with all ordinances, regulations, and laws affecting the conduct of its business, and is concerned with the safety, health, and well-being of its employees. In keeping with POMDR’s intent to provide a safe, healthy, and comfortable environment for our employees, clients, and business partners, this policy strictly prohibits the smoking and any other use of tobacco products, including electronic cigarettes, chewing tobacco, smokeless tobacco in any form, and other nicotine-delivery devices, such as vaporizers. Any violation of this policy by an employee will result in disciplinary action, up to and including termination of employment.

## Workplace Safety

The safety and security of our employees and clients is of utmost importance to POMDR. Accordingly, POMDR has adopted a zero-tolerance policy for workplace violence. POMDR is committed to the safety and health of all employees and recognizes the need to comply with regulations governing injury and accident prevention and employee safety. Maintaining a safe work environment requires the continuous cooperation of all employees. Consistent with this policy, acts or threats of physical violence, including but not limited to intimidation, harassment, and/or coercion, which involve or affect POMDR or occur on POMDR's property are prohibited. Violation of this policy is grounds for immediate termination of employment.

POMDR will maintain safety and health practices consistent with the needs of our industry. If you are ever in doubt about how to safely perform a job, it is your responsibility to ask your supervisor for assistance. Any suspected unsafe conditions and all injuries that occur on the job must be reported immediately. Compliance with these safety rules is considered a condition of employment. Therefore, it is a requirement that all employees make employee safety an integral part of their job. It is the responsibility of each employee to accept and follow established safety regulations and procedures. Failure to do so may result in discipline, up to and including termination of employment.

In situations that cause immediate concern for personal safety, or in the event of fire, employees are urged to use caution and to immediately call for help. Call 911 first. Do not hesitate to call 911 in situations that appear threatening or serious. The seriousness of the situation can be evaluated after the call for help is made.

POMDR maintains an Injury and Illness Prevention Program found in a separate document that sets out the full details of our safety policies. New employees must read and understand our Injury and Illness Prevention Program. If you do not understand something that you have read, please talk to your supervisor.

All accidents, injuries, potential safety hazards, safety suggestions, and health and safety related issues must be reported immediately to your supervisor. If you or another employee is injured, you should contact outside emergency response agencies if needed. All employees must report all safety concerns, and work-related injuries and illnesses to their supervisor immediately, no matter how insignificant the injury may seem.

Additionally, employees who observe or become aware of any violent or potentially violent conduct or behavior by a POMDR employee, client, vendor, intern, volunteer, visitor, or anyone else must notify a supervisor immediately. Further, employees must notify a supervisor of any known restraining orders in effect, or of any potentially violent non-work related situations which could result in violence in the workplace.

All reports of actual or potential workplace violence will be promptly and thoroughly investigated. To the extent possible, POMDR will maintain the confidentiality of the reporting employee. Retaliation against any employee who reports workplace violence is prohibited.

## Personal Cell Phone Use



POMDR recognizes that many of its employees bring personal cell phones with them to work. Employees are expected to behave in a manner that helps POMDR to operate in an efficient and professional manner at all times. Personal cell phone use beyond what is required to use the timekeeping application, including texting, is not allowed while working and is permissible only when an employee is on a meal or rest period in designated break areas or off premises, unless it is a real emergency.

Employees are authorized to use their personal cell phones to use POMDR's timekeeping phone application, and will be reimbursed a reasonable amount of business use of the personal cell phone. If you determine that the agreed-upon cell phone reimbursement provided to you by POMDR for your use of your personal cell phone for business purposes does not adequately reimburse you for your business use of your personal cell phone, you are required to inform your supervisor or the Executive Director so your cell phone use and reimbursement can be reviewed and adjusted as necessary.

Failure to obey this policy could result in either corrective action or prohibiting the employee from bringing the employee's personal cell phone to work.

If you have any questions regarding this policy, please contact your supervisor.

### **Attendance and Punctuality**

Regular attendance and punctuality are essential functions of each employee's job with POMDR. Similarly, performance of each employee's job on POMDR's premises is an essential function of every employee's job. Therefore, employees are required to work as scheduled, to arrive on time, and be prepared to start work. Employees are also required to remain at work for the duration of their work schedule, with the exception of meal and rest periods, or when otherwise required to leave in connection with authorized POMDR business. Late arrival, early departure, or other absences from scheduled hours are disruptive and must be avoided to the extent practicable. If you are unable to report for work on a particular day, to the extent practicable, you must provide reasonable advance notice to your supervisor before the time you are scheduled to begin working for that day.

If you expect an absence to last more than one (1) day, we ask that you inform your supervisor as to the expected duration of your absence. An employee who fails to report to work for three (3) consecutive days without notifying a supervisor will be presumed to have voluntarily resigned from employment with POMDR. If an employee is out on a legally protected absence, such as jury duty or sick leave, for three (3) consecutive days without notifying the employee's supervisor, the employee will not be presumed to have resigned from employment, but the employee may be disciplined for failing to notify POMDR of the legally protected absence as required by POMDR policy.

### **Confidentiality Policy**

This Confidentiality policy is intended to promote the legitimate and substantial business interests of POMDR including protecting confidential and proprietary information of clients,

employees, and POMDR. This Confidentiality policy is not intended to interfere with or burden employees' right to participate in concerted activity, such as communicating with their co-workers regarding their wages, hours, or terms and conditions of employment, or with any other rights protected under the National Labor Relations Act (NLRA). If any employee believes this policy or any of POMDR's policies contained in this Handbook would interfere with any employee's protected rights under the NLRA, the employee is encouraged—but not required—to contact the Executive Director so that the Executive Director can explain the policy's purpose and POMDR's desire to not interfere with employees' protected rights. Each employee is responsible for safeguarding confidential information. In the course of your work, you may have access to confidential information regarding POMDR, its donors, its clients, and perhaps even fellow employees, volunteers, board members, and members of the community. Such confidential information includes, but is not limited to, donor and client lists, donor and client credit and debit card information, donor and client identification and contact information and addresses (including email addresses, phone numbers, cell numbers, and fax information) which are not easily identifiable or obtained, marketing strategies, current or pending projects or proposals, financial and payroll information, business strategies, correspondence, trade secrets, employee lists and employee information (including employee contact information such as email addresses, phone numbers, cell numbers, and addresses, and protected health information), suppliers and vendor lists, credit or debit card numbers, and other third party information and data that is confidential, proprietary, or secret in nature.

Employees may not use or disclose confidential information except as required in the performance of their duties. This policy remains in effect even after termination of the employment relationship. Any violation is a serious breach of POMDR rules and may result in discipline up to and including termination as well as legal action. Access to confidential information should be on a "need-to-know" basis and must be authorized by your supervisor. Any breach of this policy is prohibited and may cause legal action to be taken by POMDR.

### Whistleblower Policy

POMDR is committed to lawful and ethical conduct by all persons acting on behalf of POMDR, and requires its Board, Officers, Directors, volunteers, and employees to act in accordance with all applicable laws, regulations, and policies, and to observe high standards of business and personal ethics in the conduct of their duties and responsibilities.

The purpose of this policy is to establish policies and procedures to prevent or detect and correct improper activities, encourage each POMDR Board member, Officer, Director, volunteer, and employee to report what they in good faith reasonably believe to be a violation of law, and to protect reporting individuals from retaliatory action.

A "whistleblower" is an employee who discloses information to a government or law enforcement agency, POMDR's Executive Director or President of the Board, a person with authority over the employee, or to another employee with authority to investigate, discover, or correct the noncompliance; or who provides information to or testifies before a public body conducting an investigation, hearing, or inquiry. An employee is a "whistleblower" only if the employee has reasonable cause to believe the information discloses a violation of a state or federal

statute, a violation or noncompliance with a local, state, or federal statute, rule, or regulation, or unsafe working conditions or work practices in POMDR.

A “whistleblower” can also be an employee who refuses to participate in an activity that would result in a violation of or noncompliance with a local, state, or federal statute, rule, or regulation.

### Reporting

If an employee has knowledge of or a reasonable belief that POMDR has engaged in any violations of state or federal statutes, rules, or regulations, or violations of fiduciary responsibility, including illegal or improper conduct by POMDR itself, by its leadership, employees or by others on its behalf, the employee is to contact the Executive Director or President of the Board. Concerns may be submitted anonymously. Because it is impossible to seek additional information from a reporting individual about anonymous reports, it is essential that such reports contain as much specific information as possible. They should describe in detail the specific facts demonstrating the basis of the complaints, reports, or inquiries. If the report is made internally, POMDR will conduct a prompt, discreet, and objective review or investigation. Employees must recognize that POMDR may be unable to fully evaluate a vague or general complaint, report, or inquiry that is made anonymously.

Employees must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to discipline, up to and including termination of employment.

An employee who has information regarding possible violations of state or federal statutes, rules, or regulations, or violations of fiduciary responsibility, may also call the California State Attorney General’s Whistleblower Hotline at 1-800-952-5225. An employee may also report unsafe working conditions by calling the U.S. Department of Labor’s Occupational Safety and Health Administration (“OSHA”) at 1-800-321-6742.

### No Retaliation

POMDR encourages disclosure of suspected illegal or dishonest or fraudulent activity, and will not retaliate against an employee who is a whistleblower or who refuses to participate in illegal activities. Any whistleblower who believes they are being retaliated against must contact the Executive Director or President of the Board.

### Investigation and Confidentiality

All reports of suspected illegal and dishonest activities will be promptly submitted to the Executive Director or President of the Board who is responsible for investigating, coordinating an investigation, and coordinating corrective action. The whistleblower is not responsible for investigating the reported activity or for determining fault or corrective measures, POMDR and/or its designees are charged with these responsibilities.

POMDR will safeguard the whistleblower's identity and privacy to the extent possible. However, the whistleblower's identity may have to be disclosed as necessary to conduct a thorough investigation, to comply with the law, and to provide accused individuals their legal rights of defense.

Employees with any questions regarding this policy should contact the Executive Director.

### Expense Reimbursements

POMDR will reimburse employees for reasonable business expenses incurred in the course of performing their job duties. Business expenses must generally be approved in advance by the employee's supervisor or the Executive Director. Employees are required to limit business-related expenses to reasonable amounts. Employees who have incurred reasonable business expenses in the course of their employment must submit receipts evidencing those expenses to the Executive Director within 30 days of incurring the expense.

On rare occasions employees may have to use their personal vehicles for POMDR business. The use of a personal vehicle for POMDR business must be approved in advance by the Executive Director. If an employee is required to use the employee's personal vehicle for POMDR business, the employee will be reimbursed at the then-current mileage rate approved by the Internal Revenue Service. Employees must submit a written statement indicating the number of miles the employee drove for business purposes in order to receive reimbursement.

Employees are currently reimbursed each month for nominal use of their personal cell phones for using the time-management application to record time worked each workday.

## TIMEKEEPING REQUIREMENTS

### Timekeeping

All non-exempt employees must use the time-management application on their phones for recording time actually worked. The application will serve as a permanent record of your time worked. Employees must punch in on the app when the employee arrives at work, leaves work, travel time, stops work to take a meal period, or resumes work after a meal period. Employees are not permitted to work "off the clock." No employee is permitted to record time for another employee, and such an offense will be grounds for disciplinary action, up to and including termination of employment.

Employees must ensure accuracy of their time punches. **Errors on the time-management app must be reported immediately to your supervisor and corrected in the same pay period in which the error occurred.**

Repeated failure to report the beginning or ending of a shift on the timekeeping app may result in disciplinary action, up to and including termination of employment.

## Rest Periods

All non-exempt employees who work at least three and a half hours in a workday are provided an off-duty, paid rest period of at least ten consecutive minutes for each four hours worked or major fraction thereof (two hours), and the rest period should be taken as close as possible to the middle of the four-hour work period. Non-exempt employees who work more than six hours in a workday are provided a second off-duty, paid rest period of at least ten consecutive minutes. Non-exempt employees who work more than ten hours in a workday are provided a third off-duty, paid rest period of at least ten consecutive minutes.

Rest periods may not be combined or added to an employee's meal period and cannot be used to shorten an employee's shift (e.g., to allow the employee to arrive ten minutes late or to leave ten minutes early).

Rest periods are intended to provide employees an opportunity for rest and relaxation and are always provided to employees. Accordingly, employees are entirely relieved from duty during their rest periods. Rest periods should be enjoyed away from employee work areas, and employees are free to leave the premises during rest periods.

If any non-exempt employee believes that the employee is unable to take the employee's rest period, or is not being permitted to take a rest period as required by this policy, that employee must contact the employee's supervisor immediately. Failure to do so may subject the employee to discipline.

## Meal Periods

Each non-exempt employee who works more than five hours in a workday will be provided and required to take one off-duty, unpaid thirty-minute meal period which must begin before completing five hours of work in a workday. Non-exempt employees who work more than ten hours in a workday will be provided and required to take a second off-duty, unpaid meal period of at least thirty minutes, which must be begin before the completion of the tenth hour of the employee's shift.

Any employee who works at least five hours but no more than six hours in a workday may waive their meal period by mutual consent of POMDR and the employee. Any employee who works more than ten hours but fewer than twelve hours in a workday may waive their second meal period by mutual consent of POMDR and the employee, so long as the employee did not waive the employee's first meal period of the workday. An employee who wishes to waive meal periods pursuant to this policy should speak to their supervisor and obtain a meal period waiver form. Meal periods cannot be taken at the beginning or end of shifts in order to arrive to work late or to leave early.

Meal periods are intended to provide employees an opportunity for rest and relaxation and are always provided to employees. Employees are entirely relieved from duty during their meal periods and are allowed to leave the premises. Employees are not permitted to perform any duties during meal periods.

If any non-exempt employee believes that the employee is unable to take the employee's meal period(s), or is not being permitted to take a meal period as required by this policy, that employee must contact the employee's supervisor immediately. Failure to do so may subject the employee to discipline action. Any non-exempt employee who is required to work through some or all of a 30-minute meal period, or who is required to take a late meal period, is required to inform the employee's supervisor of the instance in writing the day the meal period is missed or is late.

Every non-exempt employee must accurately record the start and stop times of all meal periods taken. Meal period times should be recorded on the timekeeping app. All employees are required to inspect their time entries and verify their accuracy. If there is an error in any time entry, the employee is required to notify their supervisor and the payroll department immediately during the same pay period so any errors may be promptly corrected.

All non-exempt employees are required to comply with this meal period policy. Violations of this policy may result in disciplinary action, up to and including possible termination of employment.

### Overtime

A workday is defined as a consecutive 24-hour period that begins at 12:01 a.m. and ends at midnight each day. The workweek is defined as a fixed and regularly recurring period, based on a calendar week, from 12:01 a.m. Sunday to midnight Saturday. Calculations for overtime pay are based on these definitions.

POMDR's regular office and clinic hours are 8:00 a.m. to 5:00 p.m., Monday through Saturday. Schedules are typically provided to employees in advance. However, because of the nature of our work, employee schedules will vary and may be outside normal business hours. The exact hours and/or days that you may be scheduled to work will depend on company requirements and may vary from time to time.

As discussed more fully above, punctual and consistent attendance is a condition of employment and an essential function of every employee's job. As necessary, employees may be required to work overtime. Overtime pay will be paid according to the Federal and California State laws. Employees classified by law as administrative, executive, professional, and other exempt employees are exempt from overtime requirements and are not subject to this policy because their salary is intended to fully compensate the exempt employee for all hours worked each pay period.

All overtime hours worked by non-exempt employees must be approved in advance by your supervisor. Employees are not permitted to switch shifts if doing so would require an employee to work overtime. Working overtime without prior authorization may subject an employee to disciplinary action, up to and including termination of employment.

In accordance with California law, employees are entitled to one day of rest in seven.

## COMPENSATION

### Payday

Employees are paid biweekly on the 5th and 20th of each month. In the event that a regularly scheduled payday falls on a day off or holiday, employees will be paid on the last day of work before the regularly scheduled payday. Employees can either pick up their paychecks at the office, or they may arrange for direct deposit into their bank account. Paychecks will not be issued early for any reason.

### Payroll Deductions

Certain deductions required by law will be made from your pay, including deductions for federal, state, and local withholding taxes, social security, state disability, and paid family leave. Other deductions may be authorized by the employee or required by law. Every paycheck includes an itemized wage statement including a list of payroll deductions which can be emailed to you on request.

## BENEFITS

### Vacation

POMDR has established a vacation plan for the benefit of its eligible employees and is designed to provide eligible employees with a period of rest and relaxation away from work. Regular employees who are classified by POMDR as full time are eligible to accrue vacation benefits based on the following policy. (Executive staff may have a different arrangement offered by the board of directors.)

<u>Length of Service</u>	<u>Vacation Days</u>
Less than One year of service	0 hours per year
One or more Years of Service	80 hours per year

After six months of continuous employment, regular full time employees accrue twenty (20) hours vacation time the first day of each fiscal quarter. Upon eligibility, vacation may thereafter be scheduled with at least thirty (30) days advance notice, subject to approval by the Executive Director. The scheduling of employee vacation time is based on POMDR operational needs, as well as other employees' vacation requests and leaves of absence. Employees may not receive pay in lieu of vacation time, except upon termination of employment.

Eligible employees are encouraged to use all earned vacation pay each year. The maximum benefits an employee may have at any time (i.e., the "cap") shall be two times the employee's annual accrual. If an employee's earned but unused vacation pay reaches the maximum cap, the employee will not continue to accrue any additional benefits. Once the employee uses enough vacation pay to fall below the maximum cap, the employee will once again begin earning vacation

pay from that date forward. No additional vacation benefits will be earned during the period in which the employee's benefits were at the maximum cap.

Accrued vacation pay that has not been used will be paid (or "cashed out") at the time of an employee's resignation or termination of employment. Vacation pay is paid at the employee's final rate of pay at the time of separation from POMDR.

### Holidays

Full-time employees are eligible for holiday pay. POMDR observes the following holidays:

- New Year's Day
- Martin Luther King, Jr. Day
- Presidents' Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day and the day following Thanksgiving
- Christmas Day

The holiday schedule for Christmas and New Year's Days will be adjusted and determined at the beginning of each calendar year in order to accommodate for the varying day of the week on which each of these holidays fall. Benefit shop employees may be required to work on one of the holidays listed above (for example the day after Thanksgiving). If an eligible benefit shop employee works on a holiday, the employee will be paid double time for hours worked on a holiday designated in this policy. The resulting schedule will neither increase nor decrease the total number of holidays in any calendar year.

At the beginning of each year, the year's Holiday Schedule will be provided to employees. Eligible employees are paid holiday pay at their regular rate of pay for the number of hours they would have worked on each holiday POMDR is closed if they would regularly be scheduled to work that day.

Only full-time employees who have completed their introductory periods are eligible for paid holiday benefits under this policy.

### Retirement

A Simple IRA is available to full-time regular and part-time regular employees after 90 days of continuous service. Employees must expect to earn over \$5,000 per year. Please speak with your supervisor for eligibility and details on plan coverage. A detailed description of plan coverage, restrictions, and limitations is available from the office.



## LEAVES OF ABSENCE

Both paid and unpaid time off may be granted to eligible employees, according to the following leave policies. This Handbook provides a non-exhaustive list and overview of some of the paid and unpaid leaves of absence offered by POMDR. Employees should contact their supervisor for additional information about eligibility and leave details.

The period that an employee is on unpaid leave is not considered time worked for purposes of determining eligibility for benefits. Accordingly, vacation benefits shall not accrue during unpaid leave, but shall not be lost.

### Paid Time Off

#### Paid Sick Leave – “Healthy Workplace, Healthy Family Act of 2014”

POMDR provides paid sick leave benefits to all eligible employees in compliance with the Healthy Workplace, Healthy Family Act of 2014 (“HWHFA”).

##### **a. Employee Eligibility; Paid Sick Leave Allotment; No Carry Over**

Employees who have worked in the State of California for 30 or more days for the same employer within a year from the start of their employment with POMDR are eligible for paid sick leave benefits under this policy. If a new hire is not eligible, the new hire will become eligible once the employee has worked for POMDR for 30 days.

Eligible full time employees will receive 6 days (48 hours) of paid sick leave benefits on their date of hire, and an additional 6 days (48 hours) of paid sick leave benefits on their hire-date anniversary for each subsequent year in which the eligible employee is employed by POMDR. Eligible part time employees will receive 5 days (40 hours) of paid sick leave benefits on their date of hire, and an additional 5 days (40 hours) of paid sick leave benefits on their hire-date anniversary for each subsequent year in which the eligible employee is employed by POMDR.

Sick days do not roll over from year to year. If an eligible employee does not use all paid sick leave by December 31st, unused hours will not carry over to the next year. Instead, the employee’s benefits will zero out and the employee will receive a new allotment of 48 or 40 hours of paid sick leave benefits on January 1<sup>st</sup>, depending on the employee’s status as a full or part time employee.

##### **b. Employee Use of Paid Sick Leave**

Eligible employees may begin using paid sick leave beginning on their ninetieth (90th) day of employment with POMDR, in minimum increments of two hours, for an absence due to diagnosis, care, preventative care, or treatment of an existing health condition for the employee or the following individuals:

1. The employee's biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis, regardless of the child's age or dependency status;
2. The employee's or the employee's spouse's or registered domestic partner's biological, adoptive, or foster parent, stepparent, or legal guardian, or a person who stood in loco parentis when the employee was a minor child;
3. The employee's spouse, registered domestic partner, grandparent, grandchild, or sibling;
4. A designated person, defined as a person identified by the employee at the time the employee requests paid sick days. An employee may use paid sick leave to care for one designated person per 12-month period.

Paid sick leave under this policy can also be used by an employee who is a victim for taking time off from work to obtain or attempt to obtain any relief, including but not limited to a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the victim or their child.

Paid sick leave under this policy can also be used by an employee who is a victim or whose family member is a victim of domestic violence, sexual assault, stalking, or an act, conduct, or pattern of conduct by an individual that includes any of the following:

- (i) bodily injury or death to another individual.
- (ii) exhibiting, drawing, brandishing, or using a firearm or other dangerous weapon, with respect to another individual.
- (iii) using or making a reasonably perceived or actual threat to use force against another individual to cause physical injury or death.

If the need for paid sick leave is foreseeable, the employee must provide reasonable advance notification to the employee's supervisor prior to the absence. If the need for paid sick leave is unforeseeable, the employee must provide notice of the need for the leave as soon as practicable.

**c. Record-keeping; Separation of Employment.**

Each eligible employee will receive a statement with each pay stub stating the amount of paid sick leave benefits available for the employee's use.

Unused paid sick leave benefits will not be paid to employees upon separation of employment with POMDR. However, if an eligible employee is rehired by POMDR within one year from the date of employment separation, previously accrued and unused paid sick leave benefits shall be reinstated.

**d. Non-Discrimination**

POMDR will not deny an employee the right to use accrued sick leave benefits under this policy, or discharge, threaten to discharge, demote, suspend, or in any manner discriminate

against an employee for using accrued paid sick leave benefits or exercising or attempting to exercise the rights provided by the HWHFA.

### Voting Day Leave

POMDR encourages employees to exercise their voting privileges in local, state, and national elections. Because the polls are open for long periods, you are encouraged to vote before or after regular working hours. However, in accordance with California State Law, paid time off will be permitted for voting purposes if an employee does not have sufficient time to vote outside of work hours. The total time, when approved, may not exceed two hours on any voting day and shall be at the beginning or end of employee's shift, whichever allows for more free time. Time off to vote must be requested at least two days in advance from the employee's supervisor and evidence of voting registration may be required at POMDR's discretion.

### Organ & Bone Marrow Donation Leave

Employees who are donors for organ or bone marrow may take paid time off as follows:

- Employees may take up to thirty business days of paid leave, and an additional thirty business days of unpaid leave, in any one-year period for the purpose of donating an organ to another person. The one-year period is calculated from the date the employee begins the leave and shall consist of up to twelve consecutive months. An employee will be paid for days the employee would have been regularly scheduled to work during the thirty day leave period.
- Employees may take up to five business days of leave with pay in any one-year period for the purpose of donating bone marrow to another person. The one-year period is calculated from the date the employee's leave begins. An employee will be paid for days the employee would have been regularly scheduled to work during the five day leave period.
- During the leave for organ/bone marrow donors, POMDR will continue to provide and pay for any benefits the employee was enrolled in prior to the leave of absence.
- Any period of time during which an employee is required to be absent from the employee's position by reason of being an organ or bone marrow donor is not a break in the employee's continuous service for the purpose of the employee's right to salary adjustments, sick leave, annual leave, or seniority.
- Leave taken for the purpose of organ or bone marrow donation is not leave for the purpose of family medical leave under federal law (FMLA) or state law (CFRA). Employees may be required to take up to five days of earned but unused paid sick leave for bone marrow donation, and up to two weeks of earned but unused paid sick leave for organ donation.
- Leave provided under this policy may be taken in one or more periods.

- Employees who wish to take a leave of absence to donate bone marrow or an organ will be required to provide written certification from a health care provider of the need for leave, including confirmation that the employee is an organ or bone marrow donor and that there is a medical necessity for the donation of the organ or bone marrow. The written certification must include the expected dates for the leave of absence.
- Employees are expected to return to work promptly at the end of the donation leave. The employee will be returned to the same or equivalent job if the employee timely returns from donation leave. If an employee is unable to return to work at the end of the donation leave due to a disability, POMDR will reasonably accommodate the employee by providing an unpaid medical leave of absence.

## Unpaid Time Off

### Family and Medical Leave

Beginning January 1, 2021, in any year that POMDR has five or more employees, POMDR will provide family and medical leave to its eligible employees in accordance with the California Family Rights Act (“CFRA”). If POMDR has fewer than five employees, this policy will not apply and employees will not be eligible for Family and Medical Leave.

### Employee Eligibility

Employees with at least 12 months of employment at POMDR and at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave may be eligible for a total of 16 workweeks of unpaid family or medical leave during the applicable 12-month period. The applicable 12-month period is a “rolling” 12-month period measured backward from the date an employee uses leave under CFRA.

### How to Request Leave

After reviewing this policy, if you believe you may be eligible for CFRA leave, or you are unsure and have questions about this leave, contact the Executive Director. You will be given a Request for Leave form to complete and return to assist POMDR in determining your eligibility for CFRA leave.

### Use of Leave

Leave under this policy may be taken for one or more of the following reasons:

- The birth of a child of the employee or the placement of a child with an employee in connection with the adoption or foster care of the child by the employee;
- To care for a child, parent, parent-in-law, grandparent, grandchild, sibling, spouse, or registered domestic partner who has a serious health condition;

- To care for an individual designated by the employee who is related to the employee by blood or whose association with the employee is the equivalent of a family relationship. The designated person may be identified by the employee at the time the employee requests the leave. Each employee may designate one person per 12-month period for family care and medical leave.
- Because of an employee's own serious health condition that makes the employee unable to perform the functions of the position of that employee, except for leave taken for disability on account of pregnancy, childbirth, or related medical conditions (which is covered by the Pregnancy Disability Leave below) ; or
- Because of a qualifying exigency related to the covered active duty or call to covered active duty of an employee's spouse, registered domestic partner, child, or parent in the Armed Forces of the United States.

An employee does not need to use CFRA leave in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt POMDR business operations.

In any case in which both parents of a child are employed by POMDR and are eligible for CFRA leave, they are both entitled to a total of 12 weeks individually for such leave.

#### Benefits During Leave

CFRA leave is unpaid. Employees may choose or POMDR may require use of accrued but unused sick leave and vacation while taking CFRA leave.

Benefits such as paid vacation will not continue to accrue during unpaid portions of the CFRA leave. CFRA leave shall not constitute a break in service for seniority-related benefits. Use of CFRA leave will not result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

#### Duration of Leave

Provided all the conditions of this policy are met, an employee may take a maximum of 12 weeks of family care, medical, and military exigency leave in a rolling 12-month period measured backwards from the date the employee's leave commences. Family care leaves for the birth, adoption, or foster care placement of a child must be concluded within one year of the birth, adoption, or placement.

#### Intermittent Leave

Family and Medical leave may be taken intermittently or on a reduced schedule when necessary. If intermittent or reduced schedule leave is for planned medical treatment, the employee must try to schedule the treatment so as not to disrupt unduly POMDR's business operations. Leave that is taken intermittently for the birth, adoption, or foster care placement of a child must be a minimum duration of two weeks, except that the employee may request leave of

less than two weeks duration twice.

### Employee Notice Requirements

If the employee's need for CFRA leave is foreseeable, the employee must provide POMDR with advance notice of the need for the leave as soon as they are aware of the need for leave. POMDR will provide a Request for Leave form, which the employee must complete and return. If the employee's need for leave is foreseeable due to a planned medical treatment or supervision, the employee must make a reasonable effort to schedule the treatment or supervision to avoid disruption to POMDR's business operations, subject to the approval of the health care provider of the individual requiring the treatment or supervision.

Employees must provide sufficient information for POMDR to determine if the leave may qualify for CFRA protection and the anticipated timing and duration of the leave, but need not identify the nature of the serious health condition involved. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, or the need for hospitalization or continuing treatment by a health care provider. Employees also must inform POMDR if the requested leave is for a reason for which CFRA leave was previously taken or certified.

POMDR will inform employees requesting leave whether they are eligible under CFRA. If they are, the notice will specify any additional information required as well as the employees' rights and responsibilities. If an employee is not eligible, POMDR will provide a reason for the ineligibility. Additionally, POMDR will inform employees if leave will be designated as CFRA and the amount of leave counted against the employee's CFRA leave entitlement. If POMDR determines that the leave is not CFRA, POMDR will notify the employee.

### Medical Certifications

Any request for medical leave for an employee's own serious health condition or for leave to care for an eligible family member with a serious health condition or for a serious injury must be supported by medical certification from a health care provider.

The medical certification for a leave to care for a child, parent, parent in law, grandparent, grandchild, sibling, spouse, registered domestic partner, or designated person who has a serious health condition must include all of the following:

- The date on which the serious health condition commenced;
- The probable duration of the condition;
- An estimate of the amount of time that the health care provider believes the employee needs to care for the individual requiring the care;
- A statement that the serious health condition warrants the participation of a family member to provide care during a period of the treatment or supervision of the individual requiring care; and

- In the case of intermittent leave or reduced schedule leave where medically necessary, the probable duration of such a schedule.

Upon expiration of the time estimated by the health care provider regarding the probable duration of the family member's condition, the employee must obtain recertification if additional leave is required.

The medical certification for leave for the employee's own serious health condition must include all of the following:

- The date on which the serious health condition commenced;
- The probable duration of the condition;
- A statement that, due to the serious health condition, the employee is unable to perform the function of the employee's position; and
- In the case of intermittent leave or reduced schedule leave where medically necessary, the probable duration of such a schedule. Medical certifications supporting an employee's request for intermittent leave must state the frequency and duration of the medically necessary leave, and team members are required to work cooperatively with POMDR to schedule intermittent leave.

Failure to provide timely certification may result in the denial of foreseeable leave until such certification is provided. In the case of unforeseeable leaves, failure to provide timely certification may result in a denial of the employee's continued leave. Any request for an extension of the leave must be supported by an updated medical certification.

Where permitted by law, if POMDR has a good faith objective reason to doubt the validity of the medical certification provided by the employee for the employee's own health condition, POMDR may require the employee to obtain a second opinion from a health care provider selected by POMDR at POMDR's expense. If the employee's health care provider providing the original certification and the health care provider providing the second opinion do not agree, POMDR may require a third opinion, also at POMDR's expense, performed by a mutually agreeable health care provider who will make a final determination.

POMDR may require that the employee obtain subsequent recertification regarding the employee's serious health condition on a reasonable basis if additional leave is required.

### Return to Work

Before returning to work from a CFRA leave of absence due to the employee's own serious health condition, the employee must provide a written release signed by the employee's health care provider that the employee is able to return to work and is able to perform the essential functions of that employee's job, with or without reasonable accommodation. Employees will be guaranteed reinstatement to the same or a comparable position upon timely return from CFRA leave.

### No Retaliation

POMDR will not deny an employee the right to take CFRA leave or discharge, threaten to discharge, demote, suspend, or in any manner discriminate against an employee for taking CFRA leave exercising or attempting to exercise the rights provided by CFRA.

### Medical Disability Leave

POMDR will provide unpaid medical leaves of absence to employees if necessary to reasonably accommodate a workplace injury or a qualified disability. A personal medical disability leave may be a reasonable accommodation provided the leave is likely to be effective in allowing the employee to return to work at the end of the leave, with or without further reasonable accommodation, and leave does not create an undue hardship. POMDR is not required to provide an indefinite leave as a reasonable accommodation.

The duration of a temporary medical leave under this section shall be consistent with applicable law and will not extend past the date on which an employee becomes capable of performing the essential functions of the employee's position, with or without reasonable accommodation. For a full explanation of leave rights, employees should contact the Executive Director.

If medical leave is needed due to a work-related injury, all matters relating to an employee's leave rights, including compensation, benefits, notice, and certification requirements, and reinstatement shall be governed by state workers' compensation laws and state and federal disability laws. Employees who have questions about such rights should contact the Executive Director.

An employee taking medical disability leave must substitute any accrued vacation pay and sick pay for the leave. Except to the extent that paid leave is substituted for medical leave, the medical leave will be unpaid.

Unless the circumstances render it impractical, the Executive Director must approve a medical leave in advance. Whenever possible, an employee should submit a written request for medical leave to the Executive Director as soon as the employee is aware of the need for such leave. POMDR will provide a Request for Leave form to the employee to complete and return to assist POMDR in determining eligibility for Medical Disability leave.

Any requests for medical leave must be supported by medical certification from a health care provider, which shall provide the following information:

- The name, address, telephone number, and credentials of the employee's health care provider;
- The employee needs leave as a reasonable accommodation;
- The date which the need for leave began or will begin;
- The probable duration of the period or periods of disability; and



- An explanatory statement that, due to the disability, the employee is unable to work at all or is unable to perform any one or more of the essential functions of the employee's position without undue risk to the employee or other persons. The certification should also explain what accommodations, if any, will assist the employee with performing the essential functions of the employee's position.

Failure to submit a complete medical certification in a timely manner may result in the delay or denial of leave. Providing a health care provider's note confirming illness or disability that does not contain all of the required information instead of submitting the required certification form is insufficient to grant a medical leave of absence.

If an employee submits an insufficient Certification of Health Care Provider in response to POMDR's request, POMDR will inform the employee why the certification is insufficient and allow the employee to provide supplemental information from the employee's health care provider. Thereafter, if the certification is still insufficient, POMDR may deny the leave. A Certification of Health Care Provider is insufficient if it does not contain the information specified in this policy and specify the existence of a disability and explain the need for reasonable accommodation. Where relevant, such an explanation should include a description of the employee's functional limitation(s) to perform the essential job functions.

The duration of a medical leave under this section will be consistent with applicable law and will not extend past the date on which an employee becomes capable of performing the essential functions of the employee's position, with or without reasonable accommodation.

Each employee who has taken a medical leave must keep the Executive Director advised of the status of the leave and must contact the Executive Director at least two (2) weeks prior to the expiration of the scheduled leave to discuss the employee's return to work. An employee desiring to return to work for medical leave shall be given the employee's former position or reinstated to an equivalent position to the extent required by law.

An employee on medical leave who engages in other employment must advise POMDR prior to the commencement of any other employment. Failure to do so will be considered a voluntary resignation of the employee's employment with POMDR.

Each employee who has taken a medical leave must be released by a doctor to return to work. The release must be in writing and submitted to the Executive Director on or before the date of the return from medical leave. If the employee's doctor has released the employee to return to work with restrictions, POMDR will begin the interactive process with the employee to determine if the restrictions can be reasonably accommodated without posing an undue hardship on POMDR.

POMDR will endeavor to reinstate employees returning from medical disability leave to the same position or a comparable position for which the employee is qualified in accordance with legal requirements. However, if holding the employee's job will result in an undue hardship, POMDR may fill the employee's job.

If an employee accepts other employment, fails to return promptly after being released to

return to work, or fails to request an extension of leave prior to the expiration of the approved leave period, the employee will be considered to have voluntarily resigned.

### Pregnancy Disability Leave

#### a. Entitlement to Leave

POMDR recognizes that employees may be unable to work for temporary but extended periods of time due to pregnancy, childbirth, or related medical conditions (commonly referred to as “Pregnancy-Disability” or “PDL”). Accordingly, Pregnancy-Disability leaves of absence without pay will be granted to employees who are disabled by pregnancy, childbirth, or related medical conditions. An employee is disabled if, in the opinion of her health care provider, the employee is unable because of pregnancy, childbirth, or a related medical condition to perform any of the essential duties of the employee’s job or to perform any of those duties without undue risk to the employee or other persons or to the employee’s pregnancy’s successful completion.

An employee may be entitled to a reasonable accommodation, such as a modification of job duties or schedule, for pregnancy, childbirth, or related medical conditions if the employee so requests and provides POMDR with medical certification from the employee’s health care provider that supports the need for the accommodation, and if the accommodation is reasonable and does not create an undue hardship. Reasonable accommodations may include, but are not limited to, modified job duties, modified work schedule, temporary transfer to a less strenuous or hazardous position, or less hazardous or strenuous duties.

#### b. Amount of Leave

An employee may be eligible for leave of absence without pay for PDL for the time the employee is actually disabled by pregnancy, up to a maximum of the number of days or hours the employee would normally work within four (4) months (one-third of a year or 17½ weeks). If an employee’s schedule varies from month to month, a monthly average of the hours worked over the four months prior to the beginning of the leave will be used for calculating the employee’s normal work month. PDL is unpaid. PDL may be taken intermittently (in no less than ½ hour increments) or on a reduced work schedule, as needed.

#### c. Notice.

Whenever possible, an employee should submit a written request for Pregnancy-Disability leave, reasonable accommodation, or transfer to the Executive Director as soon as the employee is aware of the need for such leave, reasonable accommodation, or transfer. If the Pregnancy-Disability leave, reasonable accommodation, or transfer is foreseeable, the employee must provide thirty (30) calendar days’ advance notice to POMDR of the need for leave, reasonable accommodation, or transfer. If it is not practicable for the employee to give thirty (30) calendar days’ advance notice of the need for Pregnancy-Disability leave, reasonable accommodation, or transfer, the employee must notify the employee’s supervisor or the Executive Director as soon as practicable after the employee learns of the need for Pregnancy-Disability leave, reasonable accommodation, or transfer.

If an employee fails to provide the requisite thirty (30) days' advance notice for a foreseeable need for Pregnancy-Disability leave, reasonable accommodation, or transfer without any reasonable excuse for the delay, POMDR reserves the right to delay the leave, reasonable accommodation, or transfer until at least thirty (30) days after the date the employee provides notice of the need for the leave, reasonable accommodation, or transfer.

d. Certification.

Any request for PDL must be supported by medical certification from a health care provider, which shall contain the following information: (a) the date on which the employee became disabled due to pregnancy; (b) the estimated duration of the PDL; and (c) a statement that the employee needs to take PDL because the employee is disabled by pregnancy, childbirth, or a related medical condition.

In the case of a Pregnancy-Disability reasonable accommodation or transfer, the medical certification shall provide the following information: (a) the date on which the need for reasonable accommodation or transfer became medically advisable; (b) the estimated duration of the reasonable accommodation or transfer; (c) a statement describing the medical advisability of the reasonable accommodation or transfer because of pregnancy; and (d) a description of the requested reasonable accommodation or transfer.

Upon expiration of the time period for the PDL, reasonable accommodation, or transfer estimated by the health care provider, POMDR may require the employee to provide another medical certification if additional time is requested for leave, reasonable accommodation, or transfer.

The employee must submit medical certification within fifteen (15) calendar days, if practicable, of when POMDR provides the employee with the form for such certification. In the case of a foreseeable need for Pregnancy-Disability leave, transfer, or reasonable accommodation, POMDR may delay granting the leave, transfer, or reasonable accommodation to an employee who fails to provide timely certification after POMDR has asked the employee to furnish such certification (within 15 days, if practicable), until the required certification is provided. When the need for Pregnancy-Disability leave, transfer, or reasonable accommodation is not foreseeable, or in the case of recertification, an employee must provide certification (or recertification) within fifteen (15) calendar days if practicable or as soon as reasonably possible.

e. Return to Work.

The employee must discuss the return to work date with POMDR as far in advance as possible, but no later than ten (10) days in advance of the expected return. If there is a change in the date of reinstatement, or if no agreement was made about a date of reinstatement, an employee who has taken PDL must notify the Executive Director or the employee's supervisor at least two (2) business days before the scheduled return to work or, in the case of Pregnancy Disability transfer or reasonable accommodation, the employee's transfer back to the employee's former position. An employee who timely returns to work at the expiration of Pregnancy-Disability leave, reasonable accommodation, or transfer will be reinstated to the employee's former position, or a comparable position, whenever possible and as consistent with applicable law.

Each employee who has taken a Pregnancy-Disability leave, reasonable accommodation, or transfer must be released by the employee's health care provider to return to work. The release should be in writing and submitted to the Executive Director or the employee's supervisor on or before the employee's return from a Pregnancy-Disability leave, reasonable accommodation, or transfer.

An employee's failure to timely return from Pregnancy-Disability leave, or failure to contact POMDR within three (3) days after the scheduled date of return, will be considered a voluntary resignation of the employee's employment with POMDR.

f. Benefits While on PDL.

An employee taking PDL must use all accrued but unused sick leave available and may use accrued but unused vacation time during PDL, or a portion thereof. Except to the extent that sick leave or vacation is used during PDL, the PDL will be unpaid. The use of sick leave or vacation during PDL does not extend the total duration of the leave to which an employee is otherwise entitled. Employees on PDL will accrue employment benefits, such as paid leave (vacation and sick leave time), only when paid leave is being used during PDL and only if the employee would otherwise be entitled to such accrual.

**Lactation Accommodation**

California law requires and POMDR provides a reasonable amount of break time as a lactation accommodation for employees who wish to express breast milk for their infant each time the employee has need to express milk. The break time shall, if possible, run concurrently with any break time already provided to the employee. Lactation break time that does not run concurrently with rest periods and meal periods will be unpaid.

Any employee who requires lactation accommodation should contact the Executive Director to request accommodation. If POMDR is unable to provide break time or a reasonable location that complies with the policy below, POMDR will provide a written response to the employee.

POMDR will provide an employee with the use of a room or other location for the employee to express milk in private that is in close proximity to the employee's work area, other than a bathroom. The room will be shielded from view, and free from intrusion while the employee is expressing milk. The room or location may include the place where the employee normally works if it otherwise meets the requirements listed below for a reasonable location.

POMDR will provide a lactation room or location which is:

- Safe, clean, and free of hazardous materials;
- Contains a surface to place a breast pump and personal items;
- Contains a place to sit; and

- Has access to electricity or alternative devices, including, but not limited to, extension cords or charging stations, needed to operate an electric or battery-powered breast pump.

In addition, POMDR will provide access to a sink with running water and a refrigerator or other cooling device suitable for storing milk in close proximity to the employee's workspace. Where a multipurpose room is used for lactation, among other uses, the use of the room for lactation shall take precedence over the other uses, but only for the time it is in use for lactation purposes.

POMDR may designate a lactation location that is temporary due to operational, financial, or space limitations. The temporary location will comply with the accommodation requirements of this policy.

Employees should be aware that they may report a violation of this policy to the California Labor Commissioner's field enforcement unit, which will investigate and prosecute complaints of violations of this policy.

No employee will suffer any reprisals or retaliation for exercising or attempting to exercise any right protected under this policy.

### **Bereavement Leave**

POMDR grants a leave of absence to employees in the event of the death of the employee's dog, current spouse, registered domestic partner, child (including miscarriage), 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 three (3) scheduled workdays off with pay with the approval of POMDR. An additional two (2) days of unpaid bereavement leave is provided upon the death of any of the family members listed in this policy. The Executive Director may approve additional unpaid time off.

A "day" of bereavement leave is equal to the number of hours the employee is normally scheduled to work. For example, if an eligible employee is regularly scheduled to work 6 hours per day, the employee may take up to 30 hours of bereavement leave (18 hours paid and 12 hours unpaid.) During any unpaid bereavement leave, employees may elect to use other applicable leave balances otherwise available to the employee, including any accrued, unused paid sick leave or vacation.

POMDR will maintain the confidentiality of any employee who requests or takes bereavement leave. POMDR will not deny an employee the right to take bereavement leave or discharge, threaten to discharge, demote, suspend, or in any manner discriminate against an employee for taking bereavement leave exercising or attempting to exercise these rights.

### **Reproductive Loss Leave**

POMDR employees may take up to five days of unpaid Reproductive Loss Leave following a reproductive loss event. A reproductive loss event is the day or, for a multiple-day event, the final

day of a failed adoption, failed surrogacy, miscarriage, stillbirth, or an unsuccessful assisted reproduction. Reproductive Loss Leave days may be nonconsecutive.

If an employee experiences more than one reproductive loss event within a 12-month period, POMDR will grant a total amount of unpaid Reproductive Loss Leave time up to 20 days within a 12-month period.

An employee may use accrued Vacation or HWHFA sick leave during Reproductive Loss Leave.

Reproductive Loss Leave must be taken within three months of the employee's reproductive loss event unless the employee is taking Pregnancy Disability Leave, California Family Rights Act leave, Bereavement Leave, or any other leave entitlement under state or federal law, in which case the employee must complete their Reproductive Loss Leave within three months of the end date of the other leave entitlement.

POMDR will maintain the confidentiality of any employee requesting Reproductive Loss Leave. Any information provided to POMDR will be maintained as confidential and will not be disclosed except to internal personnel or counsel, as necessary, or as required by law.

#### Jury Duty and Witness Leave

POMDR encourages employees to fulfill their civic duty and to serve on jury duty when called. Please 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 may be requested to provide written verification from the court clerk of having served. Jury duty leave is unpaid.

POMDR also provides unpaid time off if an employee is required to appear as a witness in a judicial proceeding. You may be requested to provide a copy of the subpoena or other notice compelling your attendance. You are required to provide reasonable advance notice of your request for witness leave.

#### School Discipline Leave

Any employee who is either the parent or guardian of a child may take unpaid school discipline leave. The employee must have received a written notice from the school's principal requesting the employee's attendance at a conference to discuss the child's suspension from school. School discipline leave is not available to employees who voluntarily consult with school administrators regarding a child's/grandchild's performance in school.

Prior to granting school-discipline leave, POMDR may require the employee to provide a copy of the notice received from the school, and may subsequently require documentation from the school as proof that the visit took place. POMDR may also ask the employee or the principal to briefly reschedule if the employee's attendance at work is essential at the time the conference was originally scheduled. There is no limit to how frequently employees may be provided school discipline leave.

## Crime Victims Leave

### a. Right to Leave

If an employee or an employee's family member is the victim of a qualifying act of violence, the employee may take unpaid leave for the following purposes:

- (1) To obtain or attempt to obtain any relief, including a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the employee, the employee's children, or a family member of the victim.
- (2) To seek or obtain, or assist a family member to seek or obtain, medical attention for or to recover from injuries caused by a qualifying act of violence.
- (3) To seek or obtain, or assist a family member to seek or obtain services from a domestic violence shelter, program, rape crisis center, or victim services organization or agency or obtain psychological counseling or mental health services related to an experience of a qualifying act of violence.
- (4) To participate in safety planning or take other actions to increase safety from future qualifying acts of violence.
- (5) To relocate or engage in the process of securing a new residence due to the qualifying act of violence, including, but not limited to, securing temporary or permanent housing or enrolling children in a new school or childcare.
- (6) To provide care to a family member who is recovering from injuries caused by a qualifying act of violence.
- (7) To seek or obtain, or assist a family member to seek or obtain civil or criminal legal services in relation to the qualifying act of violence.
- (8) To prepare for, participate in, or attend any civil, administrative, or criminal legal proceeding related to the qualifying act of violence.
- (9) To seek, obtain, or provide childcare or care to a care-dependent adult if the childcare or care is necessary to ensure the safety of the child or dependent adult as a result of the qualifying act of violence.

For purposes of this policy, a family member means the employee's biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis; the employee's or the employee's spouse or registered domestic partner's biological, adoptive, or foster parent, stepparent, or legal guardian, or a person who stood in loco parentis when the employee was a minor child; the employee's spouse, registered domestic partner, grandparent, grandchild, or sibling; and a designated person, defined as a person identified by the employee at the time the employee requests Crime Victims Leave. An employee may use paid sick leave to care for one designated person per 12-month period.

A "qualifying act of violence" means domestic violence, sexual assault, stalking, or an act, conduct, or pattern of conduct by an individual that includes any of the following:

- (i) bodily injury or death to another individual.
- (ii) exhibiting, drawing, brandishing, or using a firearm or other dangerous weapon, with respect to another individual.

- (iii) using or making a reasonably perceived or actual threat to use force against another individual to cause physical injury or death.

b. Notice Requirements.

If an employee needs Crime Victims Leave, the employee must provide reasonable advance notice to the Executive Director and must provide certification supporting the absence. If advance notice is not feasible the employee must provide the Executive Director with certification of the absence within a reasonable time after the absence.

Certification shall be any of the following:

- A police report indicating that the employee was a victim of a qualifying act of violence as defined above;
- A court order protecting or separating the employee from the perpetrator of a qualifying act of violence;
- Other evidence from the court or a prosecuting attorney that the employee appeared in court;
- Documentation from a medical professional, domestic violence counselor, sexual assault counselor, victim advocate, licensed health care provider, or counselor that the employee was undergoing treatment or receiving services directly related to the qualifying act of violence;
- Any other form of documentation that reasonably verifies that the qualifying act of violence occurred, including but not limited to, a written statement signed by the employee, or an individual acting on the employee's behalf, certifying that the absence is for a purpose authorized by this policy.

c. Pay Status During Crime Victims Leave.

Crime Victims Leave is unpaid unless vacation or sick leave time is available.

d. Crime Victims Leave Time Limits.

An employee may take up to twelve (12) weeks off if the employee is the victim of the qualifying act of violence. An employee may take up to ten (10) days off if the employee's family member is the victim of the qualifying act of violence and is not deceased. An employee's leave may be limited to five (5) days if the victim is the employee's family member who is not deceased and the employee requests leave to assist in relocation.

This leave runs concurrently with leave under the Family Medical Leave Act (FMLA) and/or California Family Rights Act (CFRA), if applicable.

e. Reasonable Accommodation and Certification.

POMDR will engage in timely, good faith interactive process with an employee to determine and provide reasonable accommodation for an employee who is a victim or whose family member is a victim of a qualifying act of violence who requests an accommodation for the safety of the employee while at work, unless undue hardship would result.



Reasonable accommodations may include the implementation of safety measures, including a transfer, reassignment, modified schedule, changed work telephone, permission to carry telephone at work, changed work station, installed lock, assistance in documenting domestic violence, sexual assault, stalking, or another qualifying act of violence that occurs in the workplace, an implemented safety procedure, or another adjustment to a job structure, workplace facility, or work requirement in response to domestic violence, sexual assault, stalking, or other qualifying act of violence, or referral to a victim assistance organization.

Upon request for accommodation, the employee must provide a written certification signed by the employee or an individual acting on the employee's behalf, certifying that (1) the accommodation is for the safety of the employee while at work; and (2) the employee's status, or the employee's family member's status, as a victim.

Recertification may be requested recertification of an employee's status, or an employee's family member's status as a victim, or ongoing circumstances related to the qualifying act of violence, every six months after the date of the previous certification.

Employees must notify POMDR if the need for accommodation changes or is eliminated.

f. Additional Employee Rights.

When an employee is a victim of a crime at their workplace, POMDR will give the employee written notice that the employee may be eligible for workers' compensation benefits for resulting injuries, including psychiatric injuries. The employee will be provided with the written notice either personally or by First Class mail within one (1) day of the crime, or within one (1) day of the date that POMDR could have reasonably known of the crime.

No employee will be discharged, or in any manner discriminated or retaliated against in compensation or other terms, conditions or privileges of employment, including, but not limited to the loss of seniority, because:

- the employee is a victim of any crime and takes time off to appear in court to comply with a subpoena or other court order as a witness in any judicial proceeding; or
- of the employee's status, or the employee's family member's status, as a victim if the employee provides notice to POMDR of the status or POMDR has actual knowledge of the status;
- the employee requests a reasonable accommodation; or
- the employee takes time off as authorized by this policy.

POMDR will take reasonable steps to keep any records regarding the use of Crime Victims Leave confidential.

## RECEIPT AND ACKNOWLEDGMENT OF EMPLOYEE HANDBOOK

PLEASE READ THE EMPLOYEE HANDBOOK, SIGN THIS ACKNOWLEDGMENT, AND RETURN THIS ACKNOWLEDGMENT TO YOUR SUPERVISOR WITHIN ONE WEEK.

Employee Name: \_\_\_\_\_

I acknowledge that I have received a copy of Peace of Mind Dog Rescue's (the "POMDR") Employee Handbook ("Handbook"), dated January 2025. The Handbook describes my employee benefits and obligations. I understand that the contents of the Handbook apply to all employees of POMDR, and that I am responsible for reading the entire Handbook and for knowing and complying with the policies set forth in the Handbook during my employment with POMDR. I have been given the opportunity to ask any questions I might have about policies that I do not understand. I also understand that I am responsible for reading and complying with all posted notices on POMDR's premises.

I further understand that POMDR has the right to amend, interpret, modify, or withdraw any of the provisions of the Handbook at any time in its sole discretion, with or without notice. Furthermore, I understand that, because POMDR cannot anticipate every issue that may arise during my employment, if I have any questions regarding any of POMDR's policies or procedures, I should consult the Executive Director.

I understand and agree that my relationship with POMDR is "at-will," which means that my employment is for no definite period and may be terminated by me or by POMDR at any time and for any reason with or without cause or advance notice. The at-will nature of my employment with POMDR can only be modified in a writing signed by me or my representative and the Executive Director of POMDR and approved by the Board of Directors.

I understand and agree that the terms of this Acknowledgment may not be modified or superseded except by a written agreement signed by me or my representative and the Executive Director of POMDR and approved by the Board of Directors, that no other employee, supervisor, or representative of POMDR has the authority to enter into any such agreement, and that any agreement to employ me for any specified period of time, or any agreement that is otherwise inconsistent with the terms of this Acknowledgment, will be unenforceable unless in writing and signed by me or my representative and POMDR. I further understand and agree that if the terms of this Acknowledgment are inconsistent with any policy or practice of POMDR now or in the future, the terms of this Acknowledgment shall control.

I understand and agree that this Acknowledgment contains a full and complete statement of the agreements it recites, that no one has made any promises or commitments to me contrary to the foregoing, and that this Acknowledgment supersedes all previous agreements, whether written or oral, express or implied, relating to the subjects covered in this Acknowledgment. I acknowledge that I have received the entire Handbook and agree to comply with the policies contained in this handbook and any revisions made to it.

I understand and agree that the policies in this Handbook are adopted to promote the legitimate and substantial business interests of POMDR. They are not intended to interfere with

or burden my or any other employee's right to participate in concerted activity, such as communicating with co-workers regarding wages, hours, or terms and conditions of employment, or with any other rights protected under the National Labor Relations Act (NLRA). I understand that if I believe any of POMDR's policies contained in this Handbook would interfere with my or any other employee's protected rights under the NLRA, I am encouraged—but not required—to contact the Executive Director so that the Executive Director can explain the policy's purpose and POMDR's desire to not interfere with employees' protected rights.

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Employee's Printed Name

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Position

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Employee's Signature

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Date

**RECEIPT AND ACKNOWLEDGMENT OF HARASSMENT, DISCRIMINATION, AND  
RETALIATION PREVENTION POLICY**

PLEASE READ THE ABOVE-REFERENCED POLICY CONTAINED IN THE EMPLOYEE HANDBOOK, SIGN THIS ACKNOWLEDGMENT, AND RETURN THIS ACKNOWLEDGMENT TO YOUR SUPERVISOR WITHIN ONE WEEK.

Employee Name: \_\_\_\_\_

This will acknowledge that I have received a copy of the Harassment, Discrimination, and Retaliation Prevention policy contained in Peace of Mind Dog Rescue's Employee Handbook, and that I understand and will comply with the requirements of that policy at all times.

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

\_\_\_\_\_  
Position

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

\_\_\_\_\_  
Date