



PERSONNEL POLICIES MANUAL

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**CIVIC SAN DIEGO
PERSONNEL POLICIES MANUAL**

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PERSONNEL POLICIES MANUAL

SECTION 1. INTRODUCTION

A. Purpose; Amendments

This Personnel Policies Manual ("Manual") establishes the personnel policies, procedures, rules and regulations of Civic San Diego ("Corporation") applicable to all employees of the Corporation. The Corporation's personnel policies may be modified, amended, or deleted by action of the Civic San Diego Board of Directors ("Board of Directors") in its sole discretion. The procedures, rules and regulations of the Corporation, including those set forth herein may be adopted, modified, amended, deleted or added at the discretion of the President or his/her designee. Any such amendments shall be applicable to all employees of the Corporation, unless otherwise stated.

This Manual is the property of the Corporation. It is intended for the use and reference of Corporation employees and must be returned to the Corporation at the termination of employment. Circulation outside the Corporation requires prior approval of the President.

The provisions of this Manual supersede all Manuals of the Corporation.

B. At-Will Employment

Your employment with the Corporation is at-will. Both you as the employee, and the Corporation have voluntarily entered into the employment relationship for an unspecified duration, and either you or the Corporation may end the employment relationship for any reason or no reason at any time and without notice.

The provisions in this Manual do not create a contract of employment between the Corporation and its employees and no such contract may be implied from its provisions. Moreover, no provision of this Manual alters the "at-will" nature of the employment relationship between you as the employee, and the Corporation.

C. Equal Employment Opportunity

Civic San Diego is an equal opportunity employer. Employment decisions are made on the basis of relevant, job-related factors determined by the Corporation and not on the basis of unlawful reasons, including race, national origin, color, ancestry, sex, gender, sexual orientation, military/veteran status, age, physical and mental disability (including perceived disability), religious creed, medical condition (cancer or cancer related), pregnancy, genetic information, marital status, gender identity/expression, and other categories protected by federal, state, or local law. Employment decisions shall include,

but are not necessarily limited to, hiring, termination, job assignment, promotions, transfer, wage review, and equal treatment in and access to company-paid fringe benefits and any other privileges of employment.

This policy receives the active commitment and support of all Corporation policy-makers, managerial, and supervisory personnel. The President or his/her designee shall be the appointed Equal Employment Officer and shall monitor and assure the continuing compliance with this policy. If an employee believes he or she has suffered adverse treatment on the basis of race, religion, religious dress and grooming practices, creed, color, gender, gender identity, gender expression, sexual orientation, marital status, military and veteran status, national origin or ancestry, citizenship, age, medical condition, pregnancy, or physical or mental disability or perceived disability, questions and complaints may be directed to the President or the Assistant Vice President, Human Resources & Compliance, who will resolve, or in turn designate a representative to investigate and facilitate resolution of the matter.

D. Prohibition of Discrimination, Harassment, Retaliation and Unethical Conduct

The Corporation supports a work environment committed to professional and ethical conduct. The Corporation strictly prohibits harassment, discrimination or retaliation based on the categories protected by federal and state law and local policies, as those categories now exist or as they may be amended in the future. It is the policy of the Corporation that its employees shall work in an environment free of all forms of unlawful discrimination or harassment, including sexual harassment, and unethical conduct including fraud; and that any employee experiencing or bearing witness to harassment or fraud has a clear, supportive method of reporting it.

The Corporation expects every employee's commitment to this policy. Accordingly, each employee is expected to review and know the contents of the complete statement of the Corporation's policies on professional and ethical conduct, including those against sexual harassment and workplace bullying contained in Section 2.01 of the Corporation's Ethics and Conflict of Interest Policies, and its Fraud Prevention Policy contained in Section 3.01 of the Corporation's Fiscal & Financial Policies. Any harassment, whether committed by supervisors, nonsupervisory personnel, or nonemployees, is specifically prohibited. Any employee who engages in conduct constituting discrimination, harassment, sexual harassment, retaliation, or unethical conduct (including fraud) will be subject to appropriate disciplinary action, up to and including termination.

An employee who feels he or she has experienced discrimination, harassment or retaliation in the workplace should immediately inform the President, the Chief Financial/Operating Officer, the Assistant Vice President, Human Resources & Compliance or a manager with whom the employee feels comfortable. The employee also has a right to file a complaint regarding discrimination, harassment or retaliation with the California Department of Fair Employment and Housing (DFEH), or the Federal Equal Employment Opportunity Commission (EEOC). See posted notification on Corporation bulletin boards for information on rights and the DFEH complaint process.

Complaints regarding unethical conduct should also be immediately reported to the President, the Chief Financial & Operating Officer or the Vice President, Administration.

The President, the Chief Financial & Operating Officer or the Vice President, Administration will resolve, or will designate a representative to investigate and facilitate resolution of the matter in a fair, timely and thorough manner that provides all of the parties involved appropriate protections and reaches reasonable conclusions based on the evidence collected. This may include interviewing the complainant, the alleged harasser or person alleged to have engaged in unethical conduct, and any witnesses. Complaints will be kept as confidential as possible. Disciplinary action, up to and including termination, will be taken if improper conduct is found to have occurred. The President or the Vice President, Administration will follow-up with the individual making the complaint as deemed appropriate.

The Corporation prohibits and will not tolerate any retaliation against an employee for filing a complaint or participating in an investigation of a complaint.

E. Disability Accommodation

The Corporation is committed to complying fully with state and federal disability discrimination laws. No program or activity administered by the Corporation shall exclude from participation, deny benefits to or subject to discrimination any individual based on an employee's actual or perceived disability (including those affected or disabled by pregnancy) or based on an employee's association with someone who has an actual or perceived disability. Equal Employment Opportunity will be extended to qualified disabled persons in all aspects of the employer-employee relationship including recruitment, hiring, training, promotion, transfer, discipline, layoff, recall, and termination.

The Corporation is further committed to providing reasonable accommodation to the known or perceived physical or mental limitations of an otherwise qualified applicant or employee. Individuals who believe they have a qualifying disability and require accommodation in order to perform essential job functions should contact the Vice President, Administration to begin the process of evaluation. All information disclosed will be kept confidential.

F. Acknowledgment of Receipt

Rules and regulations are necessary to operate a safe, efficient workplace. Please take time to carefully read this Manual in its entirety. The Corporation requires that each employee sign and return the "Acknowledgment of Receipt" form provided with this Manual to show that he/she has received a copy of the Manual, and further, that he/she understands and will review and comply with its provisions.

SECTION 2. HIRING AND COMPENSATION

A. Employment Classifications

All employees, regardless of exempt or non-exempt status, are placed by the Corporation into one of the following classifications defined below for purposes of determining policies, benefits and services:

1. Regular Full-Time. Employees who maintain regular employment and are normally scheduled to work 40 or more hours per week. Regular full-time employees are eligible for all Corporation benefits subject to the terms and conditions of each plan.
2. Regular Part-Time (20 or more hours per week). Employees who maintain regular employment and who are regularly scheduled to work 20 or more hours but less than 40 hours per week. Part-time employees who are regularly scheduled to work 20 or more hours per week are eligible for some Corporation benefits, as defined elsewhere in this manual.

Regular Part-Time, Non-Benefited (less than 20 hours per week). Employees who maintain regular employment and who are regularly scheduled to work less than 20 hours per week. These employees are not eligible for most Corporation benefits.

3. Temporary. Employees who are hired for an express purpose or project for a limited amount of time (usually during peak workloads), or student internship (generally not to exceed 9 months of service). Temporary employees may work a full-time or part-time schedule, and are not eligible for most Corporation benefits.

B. Employee Anniversary Date

An employee's anniversary date shall be the first day the employee starts work with the Corporation.

C. Compensation Setting

It shall be the responsibility of the President to review the compensation schedule each year at the time of budget preparation to determine appropriate compensation recommendations for each employee classification, which is included in the annual Corporation budget.

As part of the budget process, a compensation range for each position shall be approved annually by the Corporation's Board of Directors. The President is authorized to set individual employee compensation within the approved range.

D. Compensation Review

Generally, individual employee compensation shall be reviewed at least annually in conjunction with the performance review and may be adjusted on the basis of merit to provide for advancement and recognition of individual capabilities and performance.

Employees with less than 90 days of service as of July 30 shall not receive an annual compensation review until the following year's annual compensation review. Employees with a minimum of 90 days of service but less than one year of service as of July 30 shall be eligible for a compensation review and may be eligible for a pro-rated merit increase.

Compensation adjustments may be made outside of the annual compensation review period to recognize promotions or significant changes in responsibility.

E. Pay Periods

Currently, Corporation employees are paid on a bi-weekly basis. Paychecks are issued on the Friday following the end of the payroll period. If the designated payday falls on a Saturday, Sunday, or Holiday, paychecks shall be distributed on the work day preceding the normal payday. The President or his or her designee may modify such pay periods as appropriate.

F. Overtime Pay

The express intent of this section is to fully comply with the applicable requirements of the California Labor Code ("Labor Code"), the Fair Labor Standards Act ("FLSA"), related regulations, and court interpretations. Should the Labor Code, FLSA or related regulations be amended or interpreted by the courts so as to cause this section to be noncompliant with the overtime pay requirements or exceed the requirements of either, the President or his/her designee shall be and is authorized to implement revisions to this policy that comply with the Labor Code and/or FLSA. Further, the President or his/her designee is also authorized to implement make-up time, alternative work week or other work week or schedule change options in accordance with current Labor Code or the FLSA, related regulations and court interpretations in support of Corporation operations.

1. Non-Exempt Positions. Employees whose positions are classified as "Non-Exempt" shall be eligible to receive overtime pay as required by and in compliance with the Labor Code and the FLSA.

Non-Exempt employees are paid overtime for all hours worked in excess of eight (8) hours per workday or forty (40) hours per workweek. Overtime shall be computed to the nearest one-quarter hour. Any overtime worked is to be approved in advance by the employee's supervisor. An employee who works unauthorized overtime must still be compensated at the overtime rate, but the failure to secure advance approval may subject the employee to discipline. Personal Time Off (PTO), holidays, and/or any other

leave shall not be considered as hours worked in computing the time worked that entitles an employee to overtime pay.

Non-Exempt employees are not required to check email, voicemail or perform any work after hours. If a Non-Exempt employee feels the need to check email, voicemail or perform any work after hours, he/she must notify his/her manager and receive written pre-approval to do so. All time spent accessing voicemail or email after hours must be recorded on the daily time sheet as time worked.

The rate of overtime pay shall be paid in accordance with the applicable wage and hour laws. Overtime shall be reported during the week in which the hours were worked.

2. Exempt Positions. Employees in "Exempt" positions are paid on a salary basis and hold executive, administrative or professional positions which the Corporation has designated as exempt from the overtime pay provisions of the FLSA and the Labor Code.

Pursuant to the FLSA, exempt employees shall not be entitled to or paid overtime for hours worked in excess of the Corporation workweek, nor shall exempt employees receive compensatory time off. However, exempt employees shall have deductions from accrued Paid Time Off for absences/time off of more than four hours in a work day, and the exempt employee must obtain prior approval for the absence/time off from his/her immediate manager.

G. Absences

All employee absences must be reported, in writing, using the Request for Leave of Absence Form which can be obtained from the Corporation's shared network drive or from the Human Resources department. This form must be completed and approved by the employee's supervisor prior to scheduled non-emergency absences. In the event of an unscheduled absence (i.e., illness or an emergency), the form shall be completed as soon as possible, but no later than the day the employee returns to work. Failure to complete the form and obtain approval shall result in the absence being designated as unpaid leave.

Employees are expected to report to work on time for every scheduled shift. Employees who expect to be absent or tardy must notify their manager as far ahead of time as possible. Employees who fail to report to work for three consecutive scheduled workdays without notifying their manager will be considered to have "abandoned" their job and to have voluntarily resigned from their employment without notice. If an employee is unable to contact his/her manager for any absence, he/she should ask a representative (such as a family member or friend) to do so on the employee's behalf.

If the employee or a representative is unable to contact the employee's manager due to extreme circumstances (such as medical emergency or natural disaster that prohibits the employee or his/her representative from contacting the manager within three days), the employee or his/her representative must contact the manager as soon as

practicable to explain the situation. In extreme circumstances, the employer will consider the explanation and its timing before determining if the voluntary resignation will be reconsidered.

SECTION 3. CONDITIONS OF EMPLOYMENT

A. Hours of Operations

The Corporation's regular business hours are Monday through Friday from 8:00 a.m. to 5:00 p.m. A full-time employee's workday is eight consecutive hours, with a one-hour lunch break. An adjustment from the 8:00 a.m. to 5:00 p.m. schedule for full-time employees may be approved by the President or his/her designee for individual employees to accommodate modes of transportation and/or work requirements. The President or his/her designee may also authorize make-up time, alternative work week or other workweek or schedule change options in accordance with current Labor Code or the FLSA, related regulations and court interpretations in support of Corporation operations.

B. Workweek and Workday

For payroll purposes, the Corporation has defined the workweek to begin at 12:01 a.m. Sunday and end at 12 midnight on the following Saturday. The workday will begin at 12:01 a.m. and end at 12 midnight. An employee's specific work schedule will be determined by his/her supervisor in order to meet the business needs of the Corporation. The President or his/her designee may also authorize make-up time, alternative work week or other work week, or schedule change options in accordance with current Labor Code or the FLSA, related regulations and court interpretations in support of Corporation operations.

C. Time Sheets; Cost Accounting Time Sheets

All employees must keep accurate time records and provide a time sheet for each pay period bi-weekly (exempt) or weekly (non-exempt). Time sheets must be approved by each employee's supervisor and given to the Finance Department for processing.

Non-exempt employees, on a daily basis, must record their time of arrival at work, departure from work and the starting and ending time of their meal period(s), on the time sheets provided by the Corporation. Exempt employees must record time worked on a daily basis, for cost accounting purposes, and all leave time including any exempt time off.

All employee work time must be allocated to specific projects for cost accounting purposes, and all employees must record such time using the Corporation's required form. These forms may be modified or updated by the Corporation from time to time and all employees must use the most current and appropriate form for maintaining time records.

D. Rest Periods and Meal Breaks

All non-exempt employees are entitled to a ten (10) minute rest break for every four (4) hours or major fraction thereof worked during the workday. Breaks shall be coordinated

so that appropriate office coverage is maintained. All non-exempt employees are required to take a meal break of at least 30 minutes, at minimum, for every work period of more than five hours. Non-exempt employees who work six (6) or fewer hours and wish to waive their first meal period may do so by signing a meal period waiver. Likewise, employees who work twelve (12) or fewer hours and who have not waived their first meal period may waive their second meal period by signing the second meal period waiver form. All first meal periods must be taken within the first four hours and 59 minutes of the workday. Meal period waivers may be obtained from the Corporation's shared network drive or from the Human Resources department.

If a Non-Exempt employee is impeded or discouraged from taking a meal break, he/she is required to advise the Vice President, Administration as soon as possible.

E. Employment Notices

Federal and state laws require the Corporation to post legal notices informing employees about various employment-related rights. The Corporation has posted the required notices on the bulletin board in the employee break room. Every employee is responsible for reading these notices. Please inform the Vice President, Administration if any accommodation is required to receive the information in these notices.

F. Performance Evaluations

An employee's supervisor may provide to the employee a written performance evaluation at the end of the first 90 days of employment. After the first 90-day evaluation, every employee's performance will generally be evaluated annually in August. Annual performance evaluations will be carried out in an objective manner considering all the factors on the applicable Corporation Performance Review Form, of which are available on the Corporation's shared network drive and may also be obtained from the Human Resources department. At the annual review, an employee will meet with his or her supervisor and have an opportunity to discuss any and all aspects of job performance. The Corporation reserves the right to conduct additional reviews of employees during the course of the year to recognize exceptional performance, or to carry out performance improvement plans or disciplinary action if performance is below standard.

G. Employee Records

The Corporation maintains confidential files containing employment records for each employee. Such records include, but are not necessarily limited to, personal information; dependent and beneficiary designations; all employment documents; and records of performance, promotion, demotion, attendance and discipline.

Employment records are treated in a strictly confidential manner. The Corporation will not give information to anyone unless an employee first provides written authorization to release the information. Employment verifications and references will be issued by Human Resources. Information will be limited to a statement of dates of employment,

ending or current base salary, and last or present job title. The exception to this policy will be for requests to release information in response to legal process (i.e., a subpoena, court order, or other administrative agency order) or in response to payroll information for loan or garnishment processing.

1. Responsibility for Personal Information. It shall be the responsibility of each employee to keep Human Resources current on personal information contained in Corporation employment records. Immediate written notification of any change of home address, telephone number, change in family status, or number of withholding exemptions is required.
2. Access to Employee Records. Under California law, every current and former employee may make a written request to review and/or receive a copy of the contents of his or her employment file. Employee requests for inspection will be allowed at reasonable times and intervals, but not later than 30 days from the date the Corporation receives such a written request. The contents of files, except for letters of reference and certain other limited information, are open for inspection. Without exception, an employee shall review his or her individual employment file only in the presence of the Vice President, Administration or his/her designee, and no file will be removed from the Corporation offices. Current and former employees may designate a representative to conduct an inspection of the employment file or to receive a copy of such records. Any designated representative must be authorized in writing by the current or former employee. Employees may obtain a form to make such a written request from the Vice President, Administration.

If a request is made to copy contents of the employment file, the current or former employee may be charged the actual cost of copying at the rate of \$.25 per page.

3. Access to Payroll Records. Under California law, every current and former employee may make a written request to review and/or receive a copy of certain payroll records regarding their compensation, and deductions from their compensation, upon reasonable request. Employee requests for inspection will be allowed at reasonable times and intervals, but not later than 21 days from the date the Corporation receives such a written request. Employees may obtain a form to make such a written request from the Vice President, Administration.
4. Background and Reference Checks. The Corporation may conduct background and reference checks on potential or current employees. The information collected will become part of the employee's confidential personnel file and may include verification of information provided during the hiring process, resume, employment verifications, criminal record, driving records and credit report, depending on the type of position sought.

H. Company Property

The Corporation maintains company property for the use of its employees and expects its employees to use it responsibly, productively and to keep it secure. The same rules apply to any other person who provides services to the Corporation on a temporary or contractual basis, who is assigned or provided access to company property.

Company property may be tangible or intangible. Tangible property may include such items as computers, business furniture, phones and other business equipment. Intangible property may include such things as software, voicemail, e-mail communications and proprietary information, such as files, Internet access, accounting data, planning documents, and even ideas expressed verbally during the course of work. The Corporation expects its employees to follow some basic rules when using company property and violation of the Corporation policies may result in disciplinary action, up to and including, termination of employment.

1. Employees do not have the right to expect privacy when they store personal items within the Corporation's offices or use the Corporation's computers or e-mail systems. The Corporation reserves the right to conduct searches and inspections of company property, including the employee's desk, office, file cabinet, closet, computer files, voicemail, electronic mail, company-issued mobile device or similar places where employees may store the Corporation's property or related information, regardless of whether these places are locked or protected by access codes or passwords, and any items owned by employees brought on the premises such as bags or other containers.
2. All employees are expected to maintain the condition of Corporation--owned property issued to them.
3. The Corporation's property is to be used for work directly related to the Corporation business.
4. Employees will take proper security precaution when using or communicating proprietary information. Employees will not share their passwords.
5. Employees will ask permission before removing Corporation property from the Corporation's premises. If equipment is used off-site for an extended period of time, an Equipment Loan Form must be completed.
6. An employee will return all Corporation property when terminating his or her employment with the Corporation.

I. Electronic Communications System

The Corporation increasingly uses electronic forms of communication and information exchange. Employees of the Corporation have access to computers (personal, laptop), e-mail, telephones (cellular, cordless), voicemail, fax machines, external electronic bulletin boards, wire services, on-line services, the Internet and the World Wide Web (hereafter collectively referred to as “electronic communications system”). The electronic communications system provided by the Corporation, including all software and hardware, is Corporation property, and its purpose is to facilitate the Corporation’s business.

The following rules apply to all electronic communications that are: (1) accessed on or from the Corporation’s premises; (2) accessed using Corporation computer or telecommunications equipment, or via company-paid access methods; and/or (3) used in a manner which identifies the individual with the Corporation. The following list is not exhaustive and the Corporation may implement additional rules from time to time. The Corporation’s policy on acceptable uses of information technology facilities is set forth in **Appendix D** of this Manual.

1. The Corporation’s electronic communications system may not be used for transmitting, retrieving, viewing, printing or storing any communications of a discriminatory or harassing nature, or which are derogatory to any individual or group, or which are obscene or X-rated communications, or are of a defamatory or threatening nature, or for “chain letters,” or for any other purpose that is illegal or against Corporation policy or contrary to the Corporation’s interests.
2. While the electronic communications system is primarily for the Corporation’s business use, limited, occasional or incidental use of the electronic communications system (e.g., sending or receiving e-mail, limited personal phone calls) for personal, non-business purpose is permitted. However, employees need to demonstrate a sense of responsibility and may not abuse the privilege. Generally, personal use must be limited to non-work hours such as lunch and break times.
3. Employees should not assume any electronic communications are private or confidential and should transmit sensitive information in other ways. The Corporation may need to monitor, access or review electronic communications for a number of business reasons and it reserves the right to do so.
4. Each employee who uses any security measure on a company-supplied computer or e-mail must provide the Information Technology Manager with a hard copy record (to be maintained in a secure location) of his/her network password for company use if required. The Corporation may override any password at any time it deems necessary.

5. Employees shall not disclose any of the Corporation's internal (i.e. proprietary or confidential) operations information on external (public or private) web logs ("blogs"), chat rooms, Internet forums, message boards, social media sites (Facebook, Twitter or YouTube) or other publicly accessible web sites, without the prior, written authorization from the President or Chief Financial/Operating Officer. This does not apply to any information that is already publicly available from the Corporation's web site or other sites where the information was authorized to be posted.
6. Any employee who abuses the privilege of company-facilitated access to electronic media and services will be subject to corrective action, which may include termination of employment if, in the Corporation's discretion, the situation warrants it. He or she may also risk having the privilege removed for him/her and possibly others. If you have any questions regarding the proper use of the electronic communications system, please contact either the Information Technology Manager or the Vice President, Administration.
7. Employees must respect the confidentiality of other people's electronic communications and may not attempt to breach computer or network security measures, except by explicit direction of the President.
8. Anyone obtaining electronic access to other companies' or individuals' materials must respect all copyrights. To avoid viruses and potential copyright violations, no one may download any new software without the prior authorization of the Information Technology Manager.
9. Employees must safeguard the Corporation's confidential information from disclosure. Messages should be screened for confidential information prior to being viewed or shared with others. Messages containing confidential information should not be left visible while an individual is away from his/her work area. Department managers should be engaged to provide guidance on confidential information and what security controls, if any, need to be applied to the information prior to being distributed or sent over Email.
10. All communications sent by employees via the electronic communications system must be ethical and lawful, and must comply with this and other Corporation policies, including the Equal Employment Opportunity and Sexual Harassment policies.

J. Driver's License/Liability Insurance

Employees shall possess a valid California Driver's License and current automobile liability insurance as required by state law, if required to drive in order to carry out his or her Corporation employment duties.

Any employee for whom driving the Corporation vehicle or their own personal vehicle as a condition of employment or for any other corporation business, who has an expired, suspended, or revoked California Driver's License or is without in-force automobile insurance, shall be prohibited from driving for Corporation business until such time he/she can show proof of a valid California Driver's License and/or in-force automobile insurance. Such employee is required to notify his/her manager of such in writing by the next scheduled work day. If driving is a requirement of the position, loss of a driver's license or automobile insurance can result in termination of employment.

K. Alcohol and Drug Policies and Testing

Corporation employees are expected to be free from the influence of alcohol and drugs during their hours of work. "Drugs" refers to any drug, including prescribed medication, which is not legally obtained, and includes marijuana, whether prescribed or not, which remains illegal under federal law. Manufacture, distribution, dispensation, purchasing, possession, or use of a controlled substance is prohibited on any Corporation premises or job sites. The President will determine disciplinary action, up to and including dismissal, of any employee found abusing, purchasing, possessing, distributing, dispensing, using or otherwise being under the influence of drugs and/or alcohol in the workplace, during working hours, or while on Corporation business. An employee may use a substance administered by or under the instruction of a physician (except marijuana) who has advised the employee that the substance will not affect the employee's ability to perform his or her duties or affect the safety of the employee or others in the workplace. If an employee has been prescribed medication that impairs his/her ability to perform his/her job safely, efficiently, or effectively, he/she must notify the Vice President, Administration and request accommodation.

The President may authorize the moderate consumption of alcohol at specifically sanctioned Corporation events or gatherings.

The Corporation's Drug-Free Workplace Policy statement is set forth in **Appendix A** of this Manual. Employees are advised to be thoroughly familiar with the entire policy and its prohibitions.

As a condition of employment, a drug and alcohol screening test shall be required of any person whose duties include driving the Corporation-owned vehicle. Failing the test may result in disqualification from employment. A prospective employee may be offered an opportunity to retest, at his or her own expense. If the retest is negative, the employee may be hired subject to random testing for drugs and alcohol during the first six months of his or her employment, and any positive result on a retest will be cause for withdrawal of the offer of employment.

All employees are subject to drug and alcohol screening in the following circumstances:

1. when an employee is involved in a serious job-related personal injury accident or major property damage accident;

2. as part of a rehabilitation program; or,
3. if there is reasonable basis to believe that an employee is impaired on the job or is in possession of illegal substances, including marijuana and any drug obtained without a prescription, alcohol, or has used or is using illegal substances, including marijuana, or alcohol on the job or on the Corporation's premises.

All testing pursuant to this section shall be conducted in accordance with the City of San Diego's Substance Abuse Policy, Drug Testing Procedures, Administrative Regulation Number 97.00 set forth in **Appendix B** to this Manual. If an initial analysis results in a positive finding, confirmatory tests will be done. If satisfactory proof is provided by the employee that the drug use is legal and does not impair the employee's ability to work, no disciplinary action will be taken. Satisfactory proof of legal drug usage may include written confirmation by the employee's private medical doctor that the employee was taking prescribed medication and it did not impair the employee's ability to work.. If the drug test was positive for alcohol, marijuana, illegal drugs, or for unsatisfactorily explained legal drugs, the Corporation may initiate disciplinary action as appropriate, including referral to a treatment program and subsequent periodic testing as a condition of continued employment.

L. Health and Work Safety

All employees are expected to know and abide by the Health and Safety Policy contained in **Appendix C** of this manual. This policy complies with the mandate of the State of California to assure a safe work-place environment. Employees found in willful violation of this policy are subject to discipline or dismissal as determined by the President.

M. Smoking Policy

Smoking is not permitted in the offices of the Corporation.

N. Employment Eligibility

The Corporation will fully comply with the regulations of the Immigration Reform and Control Act of 1986 (as amended) enforced by the Department of Homeland Security. Upon being hired, every employee shall provide proof of employment eligibility and identity within three business days of hire. A complete list of all acceptable documents may be obtained from the Vice President, Administration.

O. Outside Employment

No Corporation employee shall engage in any other employment after or during office hours unless express permission is first obtained from the President. Upon granting

such permission, the President may notify the Corporation Board of Directors if deemed appropriate. The President and the Chief Financial & Operating Officer may not engage in any other employment after or during office hours unless express written permission is first obtained by the Board of Directors.

P. Termination of Employment (Non-Disciplinary)

Termination occurs when an employee is removed from the Corporation's payroll. Unless otherwise specified, all employee benefits end when employment terminates.

An employee who retires, resigns or quits employment with the Corporation, should notify his/her immediate supervisor in writing at least ten (10) working days prior to his/her final day of work. The notice should identify the position from which the employee is retiring, resigning or quitting employment and the last day of work. Additionally the notice of employee who is retiring shall include a statement that retirement is voluntary.

The Corporation considers that an employee has made a voluntary termination of employment if he/she is absent three (3) or more consecutive working days without notice, or if he/she fails to report to work at the end of a leave of absence.

The Corporation may initiate termination of employment by discharge or layoff as a result of reduction in staffing, change in administration, budget considerations, program alterations, or reorganization. Employees being discharged or laid-off for the reasons cited shall be given written notice of termination not less than ten (10) working days in advance of the final workday. In certain situations, employees may be given pay in lieu of the ten (10) working days notice period.

All employees leaving employment with the Corporation will be requested to attend an exit interview with the Vice President, Administration.

Q. Disciplinary Policy

The Corporation is an at-will employer. However, it is the policy of the Corporation that employee conduct and job performance be guided by the employee's job description, assignments, and reasonable rules, regulations and procedures. The Corporation's rules, regulations and procedures, in addition to those in this manual, may be changed from time to time and will be provided to all employees, in writing.

The continued employment of every employee is conditioned on satisfactory job performance, compliance with policies, procedures, rules and regulations established by the Corporation or its President, and continuing necessity to the Corporation of the employee's position.

Any employee: (1) who fails to comply with rules, regulations, or policies; (2) whose conduct is disruptive to the smooth, efficient operation of Corporation business; or, (3)

whose job performance is less than satisfactory, shall be subject to disciplinary action. Permissible disciplinary action may include the following:

1. oral reprimand and warning;
2. written reprimand and warning;
3. suspension;
4. demotion;
5. imposition of Period of Corrective Action during which non-compliant conduct or unsatisfactory job performance must be corrected;
6. termination of employment, or
7. any combination thereof.

Discipline imposed on exempt employees shall be consistent with the Labor Code and the FLSA with reference to disciplinary wage deductions.

Disciplinary action may be imposed by an employee's supervisor and/or the President or his/her designee. Disciplinary action must be based on fact and an evaluation of the circumstances of each incident, the employee's record of performance and the nature and duration of the incident or incidents giving rise to discipline.

Since employment with the Corporation is at will, termination may occur at any time, with or without reason or notice. The Corporation has no progressive disciplinary procedure and has the discretion to implement disciplinary policy in any order. Each case of disciplinary action will be reviewed individually on its facts, following which, the Corporation will take the action or actions it deems necessary and appropriate to the particular case.

R. Grievance Appeal Procedure

Any employee who feels he/she has been unfairly disciplined may file a written appeal within three (3) working days from the date the decision to impose disciplinary action is communicated, as follows:

1. Oral or Written Reprimand/Warning. If the disciplinary action taken is a verbal or written reprimand or warning, the employee's appeal shall be filed with the employee's immediate supervisor, who shall render a written decision within five (5) working days of receiving the appeal. The supervisor's decision shall be final.

2. Suspension, Demotion or Imposition of Period of Corrective Action. If the disciplinary action taken is a suspension, demotion or imposition of a Period of Corrective Action during which performance is reviewed, the appeal shall be filed with

the President, who shall render a written decision within five (5) working days of receiving the appeal. The President's decision shall be final.

3. Termination. If the disciplinary action taken is termination of employment, the appeal shall be filed with the President who shall render a written decision within five (5) working days of receiving the appeal. The employee may file a written appeal to the Board of Directors within three (3) working days of receiving the President's decision. The Board of Directors shall hear the appeal within thirty (30) days of receipt. The appeal shall be heard in closed session. The decision of the Board of Directors shall be final.

SECTION 4. LEAVE AND APPROVED TIME OFF

Full-time employees shall earn and accrue leave time as set forth in this section. Part-time employees working 20 or more hours per week shall earn and accrue leave time as set forth in their employment offer letter. Use of accrued leave requires written authorization, which shall be initiated by the employee using the Request for Leave of Absence form, and approval by the employee's supervisor. The Request for Leave of Absence form is available on the Corporation's shared network drive and may also be obtained from the Human Resources department.

A. Regular Paid Holidays

The Corporation generally recognizes the following paid holidays for all regular full-time and regular part-time employees working 20 or more hours per week. The Corporation's offices will be closed in observance of the following holidays:

- January 1 - New Year's Day
- Third Monday in January - Dr. Martin Luther King's Birthday
- Third Monday in February - Presidents' Day
- March 31 - Cesar Chavez' Birthday
- Last Monday in May - Memorial Day
- July 4 - Independence Day
- First Monday in September - Labor Day
- November 11 - Veterans Day
- Fourth Thursday in November - Thanksgiving Day
- Friday following Thanksgiving Day
- December 25 - Christmas Day
- Four holidays Between the Christmas and New Year's Holidays (when offices are closed)

In addition, employees are entitled to a Floating Holiday to be determined by each employee, with approval by his/her manager.

For regular full-time employees who are scheduled not to work on a Company paid holiday, the employee will receive holiday pay for the designated day. For regular part-time employees working 20 or more hours per week, the employee will receive pay for the above company designated holidays as per the employee's offer letter.

In addition, the Corporation shall observe, on a one-time basis, every day or part of a day designated by the President of the United States, Governor of the State of California, or Chair of the Board of Directors as a holiday.

When a holiday, as identified above, falls on a Sunday, the holiday shall be observed on the following Monday. When a holiday, as defined above, falls on a Saturday, the preceding Friday shall be observed as the holiday.

Holidays which fall while an employee is on PTO leave or sick leave shall be counted as a holiday and not charged as PTO or sick leave.

B. Personal Time Off (PTO) Leave

Regular full-time employees shall earn and accrue personal time off (PTO) leave with full pay each pay period, and effective as of the employee's anniversary date.

<u>Length of Service</u>	<u>Annual Accrual Rate</u>
Less than 1 year	144 hours
From 1 to 2 years	152 hours
From 2 to 3 years	160 hours
From 3 to 4 years	168 hours
From 4 to 5 years	176 hours
From 5 to 6 years	184 hours
From 6 to 7 years	188 hours
From 7 to 8 years	192 hours
From 8 to 9 years	196 hours
From 9 to 10 years	200 hours
From 10 to 11 years	204 hours
From 11 to 12 years	208 hours
From 12 to 13 years	212 hours
From 13 to 14 years	216 hours
From 14 to 15 years	220 hours
Over 15 years	224 hours

Regular part-time employees working 20 or more hours per week shall accrue PTO at a prorated basis as per the employee's offer letter.

PTO leave shall accrue pro-rata each pay period. PTO leave shall accrue pro-rata, based on hours paid, during any pay period in which the employee is in any unpaid status. All employees after their first employment anniversary date are encouraged to take at least 40 hours of PTO leave each year unless exempted by the President in writing.

PTO leave may be accumulated up to a maximum of twice the number of hours accrued annually based on the employee's length of service. Any employee who has accrued more than the maximum leave will not accrue additional PTO leave hours until the accumulated leave falls below the maximum.

PTO leave may be used for:

1. Personal time away from the office;
2. Personal illness or physical incapacity resulting from causes beyond the employee's control which preclude the employee from performing his/her duties;
3. Illness or physical incapacity of the employee's family members, which may be allocated to the employee's family medical leave entitlement if the usage

exceeds three (3) consecutive working days;

4. Dental and medical appointments or other sickness prevention measures for employee (and spouse or family members if the employee's personal attention is required); or,
5. Enforced quarantine of the employee in accordance with community health practices.

For newly hired employees during their first year of employment, the individual can request up to a maximum of 40 hours paid PTO leave in advance of accruing the time. Requests shall be initiated by the employee using the Request for Leave of Absence form, and approved by the employee's manager. The Request for Leave of Absence form is available on the Corporation's shared network drive and may also be obtained from the Human Resources department.

If the time off is as a result of an illness or injury that also qualifies for federal and/or state leave provisions, the applicable provisions under the following Leave of Absence section will apply. In the event an employee is absent for more than three (3) consecutive working days because of an illness or injury, at the time the employee returns to work the Corporation may require a physician's certificate or statement indicating the employee's ability to return to his or her job duties. In cases of recurrent illness or serious injury, the Corporation has the option of requiring either: 1) an examination of the employee by a company retained physician; or, 2) a statement from the employee's own physician explaining the employee's health status and probable duration of the illness or injury.

Employees are not eligible to receive pay in-lieu of PTO time except: (1) upon termination of employment or retirement with the Corporation; 2), an employee with more than 180 hours of accrued PTO may receive up to 80 hours of compensation in lieu of PTO in any one (1) calendar year, at the employee's current hourly pay rate, provided such pay in lieu of PTO does not reduce the remaining accrued PTO leave to less than 180 hours.

Employees who are eligible to cash out PTO hours, but do not cash out PTO hours during the calendar year, will automatically be provided with compensation in lieu of PTO for all hours eligible for cash-out up to 80 hours on the final paycheck of the calendar year.

C. Sick Leave

For regular employees who are employed on November 1, 2007 and have a balance of sick leave hours remaining as of October 31, 2007, no additional sick leave will accrue; however, the remaining sick leave hours may be used for the following reasons:

1. Personal illness or physical incapacity resulting from causes beyond the employee's control which precludes the employee from performing his/her

duties;

2. Illness or physical incapacity of the employee's family members, which may be allocated to the employee's family medical leave entitlement if the usage exceeds three (3) consecutive working days;
3. Dental and medical appointments or other sickness prevention measures for employee (and spouse or family members if the employee's personal attention is required);
4. The birth of a child and to care for the newborn child;
5. To care for a newly adopted or placed foster child;
6. Enforced quarantine of the employee in accordance with community health practices; or,

In lieu of PTO leave, when an employee on PTO leave becomes ill or injured during such PTO period the employee must notify the President or his/her designee in a timely manner and will furnish a written statement from a licensed and practicing physician confirming the illness or injury.

If the need for sick leave is foreseeable, the employee must provide reasonable advance notice. If the need for leave is not foreseeable, the employee must provide notice of the leave as soon as is practical.

D. Earned Sick Leave – Non-PTO Eligible

Employees who do not qualify to accrue PTO leave shall accrue one (1) hour of earned sick leave for every (30) hours worked. Such employees are eligible to use accrued sick leave following eighty-nine days of employment.

An employee may use Earned Sick Leave for the reasons cited within this section. Earned sick leave may accumulate up to a maximum of 80 hours.

E. Sick Leave Certification

The Corporation may require an employee who is absent because of illness for more than three (3) consecutive working days to submit a physician's certificate or statement before returning to work. In cases of recurrent illness, serious injury or excessive use of sick leave, the Corporation has the option of requiring either: 1) an examination of the employee by a company retained physician; or, 2) a statement from the employee's own physician explaining the employee's health status and probable duration of the illness or injury. If the time off during the illness also qualifies for federal and/or state leave provisions, the applicable provisions under the following Leave of Absence provisions will apply.

F. No Retaliation or Discrimination

The Corporation strictly prohibits any form of retaliation or discrimination against an employee for attempting to use or using paid sick leave under this policy, and for any other reason prohibited by applicable law. Employees who believe they have been discriminated or retaliated against should report their concerns to the President, the Chief Financial & Operating Officer or the Vice President, Administration.

G. Bereavement Leave

For regular full-time employees and regular part-time employees who work 20 or more hours per week, in the event of a death of an employee's immediate family member, the Corporation will allow up to three (3) work days, with pay, to handle family matters and to attend the funeral. In the event of a death of an employee's extended family member, the Corporation will allow one (1) work day, with pay, to handle family matters and to attend the funeral. The extended family member bereavement benefit does not apply to spouses or domestic partners. Additional time in extreme circumstances may be allowed at the discretion of management without bereavement leave compensation.

Immediate family is defined as:

Employee's

spouse/domestic partner
parents
grandparents
siblings
children
adopted children
grandchildren

Spouse's/Domestic Partner's

parents
grandparents
siblings
children
adopted children
grandchildren

Extended family is defined as:

Employee's

Aunt
Uncle
Niece
Nephew
Cousin

H. Leave of Absence

1. Personal Leave of Absence. The President may grant an employee a personal leave of absence, without pay, for a period not to exceed 12 weeks (480 hours), when an employee does not have accrued paid leave available and is not entitled to family/medical leave, subject to a determination in the President's discretion that the employee's continued employment is in the Corporation's best interest and the inconvenience of the absence is justified.

The employee must have used and exhausted all accrued PTO leave before being eligible for a personal leave of absence without pay.

PTO leave shall not accrue during a personal leave of absence. An employee on personal leave of absence without pay for more than 30 days shall be required to pay the cost of premiums for coverage under the Corporation's medical plan and the Corporation's cost of any other benefits the employee desires to continue in effect during the leave. Personal leave of absence may affect other benefits the employee would accrue.

2. Family/Medical and Disability Leave (Family Medical Leave). The Corporation grants eligible employees unpaid leave of absence for family and medical matters up to a maximum of twelve (12) weeks in a twelve (12) month period (except for an employee wishing to take Military Caregiver Leave who will be eligible to receive a combined leave total of twenty-six (26) workweeks in a single 12-month period). Neither the Federal Family and Medical Leave Act of 1993 ("FMLA"), nor the California Family Rights Act ("CFRA") apply to the Corporation, which does not have the required number (fifty) of employees. However, the Corporation provides eligible employees with leave similar to these provisions. The Corporation also reserves the right to deny a request for Family Medical Leave where permitted under law, especially in the event such leave would cause substantial and serious economic injury to the Corporation's business operations.

Eligibility. An employee who: 1) has been employed by the Corporation for at least one (1) year (although the time does not have to be consecutive); and 2) has worked 1,250 hours or more during the 12-month period immediately preceding the commencement of the leave is eligible for Family Medical Leave. An employee may take Family Medical Leave, upon advance notice to the Vice President, Administration, for the following reasons:

- a) the birth of a child and to care for the newborn child;
- b) to care for a newly adopted or placed foster child;
- c) to care for the employee's spouse, registered domestic partner, parents, children under the age of 18 years, or children unable to care for themselves because of a physical or mental impairment, who has a serious health condition; or,

- d) because of employee's own serious health condition, either physical or mental, including pregnancy, which involves patient care or renders employee unable to perform one or more of the essential functions of the employee's job, and may be either a continuous or episodic incapacity.
- e) a "qualifying exigency" (using the FMLA definition) for military operations arising out of a spouse's, child's, or parent's active duty or call to active duty as a member of the U.S. Armed Forces (includes the military reserves and the National Guard) in support of a "contingency operation" in a foreign country declared by the U.S. Secretary of Defense, President or Congress, as required by law ("Military Emergency Leave"); or
- f) to care for a spouse, child, parent or next of kin (nearest blood relative) who is an Armed Forces member (including the military reserves and National Guard) undergoing medical treatment, recuperation, or therapy, is otherwise in an outpatient status, or is otherwise on the temporary disability retired list with a serious injury or illness incurred in the line of duty while on active duty that may render the individual medically unfit to perform his or her military duties ("Military Caregiver Leave").

The term "incapacity for leave purposes" means the inability to work, attend school, or perform other regular daily activities due to a serious health condition, treatment of such condition or recovery from such condition.

Serious Health Condition. The "serious health condition" required for leave eligibility means an illness, injury, impairment, or physical or mental condition that involves one of the following:

- a) inpatient care in a hospital, hospice or residential care facility, including any period of incapacity or subsequent treatment connected with or a consequence of inpatient care;
- b) a period of incapacity of more than three (3) consecutive calendar days that also involves: a) treatment two (2) or more times by a healthcare provider; or b) treatment by a healthcare provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the healthcare provider;
- c) any period of incapacity due to pregnancy or prenatal care;
- d) chronic conditions requiring periodic visits for treatments by a healthcare provider, continues for an extended period of time (including recurring episodes of the same condition), and may cause episodic rather than a continuing period of incapacity;
- e) permanent long-term conditions requiring supervision, but not necessarily active treatment by a healthcare provider; or,

- f) multiple treatments required for a non-chronic condition, including any period of recovery from such treatment.

Scheduling of Family Medical Leave. Family Medical Leave may be taken for one continuous period of time or for separate continuous periods of time (episodic). It also may be taken intermittently or on a reduced workday schedule, provided such scheduling is medically necessary. Family Medical Leave shall be subject to a cumulative maximum allowable 12 weeks within a "rolling" 12-month period measured backwards from the date an employee uses any Family Medical Leave. The maximum amount of Family Medical Leave for an employee wishing to take Military Caregiver Leave will be a combined leave total of twenty-six (26) workweeks in a single 12-month period. A "single 12-month period" begins on the date of your first use of such leave and ends 12 months after that date.

Required Notices. An employee requesting Family Medical Leave must give reasonable advance notice unless such notice is not possible or practicable, in which case notice shall be given as soon as practicable, but no less than one (1) day before the start date of the Family Medical Leave. In case of an emergency, the request should be submitted to the employee's supervisor or the Vice President, Administration within 48 hours after commencement of the injury, illness or disability. Notice may be submitted by another person on behalf of an employee who cannot provide the notice personally because of the serious health condition.

In the event an employee is absent from work for more than three (3) consecutive work days because of the illness of an employee or the employee's family member or for other eligible reasons, the Corporation may designate the leave as Family Medical Leave. The employee shall provide sufficient information to the Corporation regarding the circumstances causing the absence from work for such determination to be made. Failure to do so may excuse the Corporation from complying with Family Medical Leave requirements.

The Corporation shall provide written notice to an employee who is placed on Family Medical Leave confirming the designation of leave as Family Medical Leave, the commencement date and anticipated expiration date of the leave.

For Qualifying Exigency Leave, employees are required to provide a copy of the covered military member's active duty orders when the employee requests leave and a completed Certification of Qualifying Exigency form within 15 calendar days, unless unusual circumstances exist to justify providing the form at a later date.

Certification forms are available in Human Resources.

Paid/Unpaid Leave. An employee on leave for his/her own serious health condition or for the care of an ill family member under Family Medical Leave must use and exhaust all sick leave and may use PTO leave, which is counted against the maximum allowable Family Medical Leave. After accrued paid leave is exhausted, any further Family

Medical Leave shall be unpaid. An employee who has no accrued sick or PTO leave shall be on unpaid Family Medical Leave.

Medical Certification. The Corporation reserves the right to require certification by a duly licensed healthcare provider in support of any request for Family Medical Leave. For pregnancy, chronic and permanent, or long-term serious health conditions for which continuing medical supervision is required, the Corporation may request re-certification of the employee's or family member's condition every 30 days (or more often if circumstances warrant such a request).

The Corporation reserves the right to require an employee who is returning from Family Medical Leave for his/her own serious illness to provide a "fitness for duty" release from his/her health care provider, prior to and as a condition of the employee's return. In some circumstances, the Corporation also may require a returning employee to complete a fitness for duty examination with its own designated physician in order to determine the employee's ability to perform essential job functions.

Employee Responsibility. During leave of absence, the employee is responsible for maintaining contact with his/her immediate supervisor and report periodically, but not less than monthly, on his/her status and intent to return to work.

Employee Benefits and Insurance Coverage. An employee's group insurance coverage shall be maintained, on the same conditions and with the same coverage, during approved Family Medical Leave as though the employee has continued to work. During paid Family Medical Leave, the Corporation's contribution for the employee and the employee's payroll deduction for all insurance premiums shall continue. During unpaid Family Medical Leave, the Corporation shall continue to make its contributions for the employee's insurance benefits; however, the employee shall be required to submit payment to the Corporation for the employee's share of premiums. Payment is due on the 30th of each month for that month's coverage. If the employee fails to submit the full amount of employee insurance premium payments for thirty (30) days, the Corporation shall advance payment of the required amount on behalf of the employee in order to maintain employee's insurance coverage for one (1) thirty-(30) day period. Thereafter, if employee's share of premiums remains unpaid, coverage shall be terminated and reinstated upon employee's return to work from Family Medical Leave. The Corporation reserves the right to recover health insurance premiums advanced on behalf of an employee in accordance with any and all state and federal laws.

An employee on unpaid Family Medical Leave shall not be entitled to paid holidays and shall not accrue PTO or any other benefits that are accrued based on time at work.

3. Pregnancy Disability Leave. Female employees shall be entitled to a disability leave of absence for pregnancy, childbirth and related medical conditions for a reasonable time not to exceed 4 months (17 1/3 weeks) in accordance with the California Pregnancy Leave Act (PDL). Time off needed for prenatal or postnatal care, severe morning sickness, doctor-ordered bed rest, gestational diabetes, pregnancy-induced hypertension, preeclampsia, childbirth, recovery from childbirth, post-partum

depression, and loss are all covered. PDL does not run concurrently with a California Family Rights Act Leave; therefore, employees returning from medical leave associated with childbirth may also be eligible to request additional leave time under the California Family Rights Act (please refer to Section H.2 above). If an employee is affected by pregnancy, or related medical condition, the employee is also eligible for a reasonable accommodation and/or a transfer to a less strenuous or hazardous position or to less strenuous or hazardous duties, if this reasonable accommodation and/or transfer is medically advisable. The provisions regarding Required Notices, Paid/Unpaid Leave, Medical Certification, and Employee Responsibility set forth in Section H.2 above shall apply. An employee's group insurance coverage shall be maintained, on the same conditions and with the same coverage, during an approved Pregnancy Disability Leave not to exceed four months.

4. Workers' Compensation. In cases of an injury resulting in disability covered by Workers Compensation, an employee's leave of absence shall be continuous until such time as the employee has been released from his or her period of temporary disability and is available and qualified for work or a determination is made that the employee is unable to return to work. If the employee is eligible for Family Medical Leave, then any time off during the temporary disability may count against the individual's Family Medical Leave entitlements.

5. Military Leave. Military leave will be granted in accordance with California and federal law. The Uniformed Services Employment and Re-employment Rights Act (USERRA) is the federal law that establishes rights and responsibilities to members of the National Guard and Reserve and their civilian employer. Leave is available for active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty and for examinations to determine fitness for any such duty. Protected military leave time is subject to a cumulative 5-year time limit after which employee no longer have reemployment rights (unless service is activated involuntarily for war or national emergency.) An employee is expected to give reasonable advance notice of impending leave to his/her immediate supervisor. After periods of military leave for more than 30 days, the Corporation may request employee to provide documentation of military service. Employee may provide copy of orders, annual drill schedule, or other type of documentation to the Corporation as soon as available and, whenever possible, before the commencement of military duty. The Corporation may contact military unit if necessary. Benefits shall be maintained in accordance with state and federal laws. As with other leaves of absence, failure to return to work or to reapply in a timely manner as noted by USERRA may result in termination of employment. Employees returning from military leave are entitled to all the rights and benefits they would have had if they had remained continuously, including promotions, increases in pay and additional job responsibilities. The Corporation will provide training or other assistance to returning service members to help them refresh or upgrade their skills to qualify for reemployment.

6. Military Spousal Leave. Employees who work an average of 20 hours per week and have a spouse or domestic partner who is serving as (1) a member of the U.S. Armed Forces and who has been deployed during a period of military conflict to an area

designated as a combat theater or combat zone by the President of the United States or (2) a member of the Armed Forces Reserve Components or the National Guard and has been deployed during a period of military conflict will be given up to ten (10) days leave during that time in which the employee's spouse or domestic partner is on leave from deployment in a combat zone with the active duty or reserve military or national guard during a period of military conflict. Employees may use PTO to cover this absence. If the employee has no accrued PTO, the employee must request time off without pay.

Employees who request this leave must provide the Corporation with a written request for such leave within two (2) business days of receiving official notice that the military spouse or domestic partner will be on leave from deployment. The employee must also provide written documentation to the Corporation certifying that the military member will be on military leave from deployment.

7. Jury Duty. Jury Duty leave of absence is authorized time away from work to serve on a jury. Regular full-time employees and regular part-time employees who work 20 or more hours per week, when duly called by a public authority to serve on any jury, shall be entitled to a paid leave of absence during the period of such jury services. Immediately upon receipt of the summons, but not less than thirty (30) days prior to reporting date for jury service, the employee shall notify his/her supervisor and submit a written request for jury leave beginning on the reporting date specified in the summons. A copy of the summons shall accompany the written request.

A non-exempt employee whose leave for jury duty service exceeds 160 hours within a consecutive 36-month period shall not be compensated by the Corporation. An employee who has exhausted paid jury duty leave has the option to use paid PTO Leave or unpaid Personal Leave of Absence for the period of time jury duty exceeds the maximum compensable time. An exempt employee shall be paid his/her salary during jury duty leave.

An employee serving on jury duty is required to report to work prior to, during, or after a court day when employee has at least four (4) hours available to perform work at the Corporation's office, not including travel time. Employees must report for work the next business day following discharge from jury service.

8. Time-Off to Vote. Generally, polling hours allow employees to find time to vote either before or after their regular shift. If, however, full-time employees are unable to vote in an election during their non-working hours, the Corporation will grant up to two (2) hours of paid time to vote.

Employees requiring time off to vote must make their requests at least two working days prior to the Election Day. Advance notice is required so that the necessary time off can be scheduled at the beginning or end of the work shift, which provides the least disruption to the normal work schedule. Employees must submit a voter's receipt on the first working day following the election to qualify for voting pay.

9. School Activity. Employees who are parents, grandparents or guardians of children in licensed day care/preschool facilities, and in grades K through 12, are

eligible for up to forty (40) hours away from work, without pay, during each school year to participate in school activities. However, reasonable notice must be given, and no more than eight (8) hours can be taken in any one (1) month. In addition, verification may be required from the school or licensed day care facility to provide that the employee participated in the activity on a specific date and time. For purposes of this section, "parents" includes step parents and registered domestic partners of those with children.

10. Child Suspension. Employees who are the parent or guardian of a child who has been suspended from school will be allowed time off, without pay, if requested to appear at the school in connection with that suspension. The employee must give reasonable notice to the employee of the request.

11. Crime Victim or Witness Leave. The Corporation will provide time off to an employee to attend judicial proceedings related to a crime, if that employee is a victim of crime, an immediate family member of a victim, a registered domestic partner of a victim, or the child of a registered domestic partner of a victim. The Corporation will also provide time off to any employee to appear in court to comply with a subpoena or other court order as a witness in any judicial proceeding. The Corporation requires that where feasible, in advance of taking leave, the employee provide it with a copy of the notice of each scheduled proceeding that is provided to the victim by the agency responsible for providing notice. If advance notice is not possible, the employee is required to provide the Corporation with a copy of the notice within a reasonable time. Employees may utilize PTO, sick leave or unpaid leave.

12. Victims of Domestic Violence, Sexual Assault, or Stalking. In accordance with California law, the Corporation will provide time off to an employee to seek medical attention; to obtain services from a domestic violence shelter, program, or rape crisis center; to obtain psychological counseling; or to participate in safety planning or relocation if the employee is a victim of domestic violence, sexual assault, or stalking. An employee must give the Corporation reasonable advance notice of his/her intention to take time off for any of the purposes mentioned above, unless advance notice is not feasible. The Corporation will maintain confidentiality of that communication. If the employee takes an unscheduled absence, the employer will not take any adverse action against the employee if the employee provides within 15 days of any of the following: a police report; a court order protecting the or separating the employee from the perpetrator or an act of domestic violence or sexual assault; other evidence from the court or prosecuting attorney that the employee appeared in court; or documentation from a medical professional, domestic violence advocate, an advocate for victims of sexual assault, health care provider, or counselor that the employee was undergoing treatment for physical or mental injuries or abuse resulting from an act of domestic violence or sexual assault. The employer will also engage in a good faith interactive process to identify potential reasonable accommodations for stalking, domestic violence, or sexual assault victims. Accommodations may include the implementation of safety measures, including a transfer, reassignment, modified schedule, changed work telephone, changed work station, installed lock, or other adjustment to a job structure,

workplace facility, or work requirement. Employees may utilize PTO, sick leave or unpaid leave.

13. Organ and Bone Marrow Donation Leave. The Corporation will provide up to 30 days paid leave per year to an employee for the purposes of donating an organ and up to 5 days per year to an employee for the purposes of donating bone marrow. This leave does not run concurrently with Family Medical Leave. In order to receive a leave of absence, an employee shall provide written verification to his/her supervisor that he or she is an organ or bone marrow donor and that there is a medical necessity for the donation of the organ or bone marrow. As a condition of an employee's initial receipt of bone marrow or organ donation leave, an employee must take up to 5 days of earned but unused sick leave or paid time off for bone marrow donation and up to 2 weeks of earned but unused sick leave or paid time off for organ donation.

14. Civil Air Patrol. Employees that are employed over 90 days and who are volunteer members of the California Wing of the Civil Air Patrol responding to an "emergency operational mission" will be provided 10 days per calendar year of leave. Employees must give their supervisor as much advance notice as possible. Employee will be returned to their position or a position equivalent in pay, benefits, seniority, and other conditions.

15. Fire and Law Enforcement. The Corporation will not discharge or in any manner discriminate against an employee for taking time off to perform emergency duty as a volunteer firefighter, a reserve peace officer, or emergency rescue personnel. The Corporation will comply with California law regarding leaves of absence for an employee who is a volunteer firefighter wishing to take a leave of absence for the purpose of engaging in fire or law enforcement training. Existing law requires an employer employing 50 or more employees to permit an employee who is a volunteer firefighter to take temporary leaves of absence, not to exceed an aggregate of 14 days per calendar year, for the purpose of engaging in fire or law enforcement training.

SECTION 5. FRINGE BENEFITS

The fringe benefits provided to regular full-time and part-time employees of the Corporation are determined by the Corporation and are subject to periodic review and re-examination. The Corporation reserves the right, in its discretion, to modify or discontinue benefit plans that are not mandated by federal or state law. A detailed description of the Corporation's fringe benefits, as approved annually with adoption of the budget, is available with the Vice President, Administration.

Benefits available to an employee's spouse and dependents are equal to benefits available to an employee's domestic partner and dependents. Such benefits include, but are not limited to, health, dental and vision benefits, life insurance, family leave, and bereavement leave.

A. Group Health and Life Insurance

Medical insurance, dental insurance, vision insurance, life insurance, and health/dependent care flexible spending accounts may be provided to the employee and to dependents as determined by the Board of Directors. Eligible employees are those regular full-time employees and regular part-time employees who are scheduled to work 30 or more hours per week. Employees and their eligible dependents are eligible to begin participation on the first of the month after the employee is hired.

B. Disability

Disability coverage for each employee may be provided at no cost to the employee. If such coverage is provided, employees shall not be required to pay for state disability insurance. Eligible employees are those regular full-time employees and regular part-time employees who are scheduled to work 30 or more hours per week.

C. Flexible Spending Account (FSA)

Employees annually can request the Corporation to set aside pre-tax money to pay for approved health care and dependent care reimbursements. Eligible employees are those regular full-time employees and regular part-time employees who are scheduled to work 30 or more hours per week.

D. 403(b)Plan

A 403(b)(7)/403(b)1 plan is provided to eligible employees as part of the Corporation's retirement plan as approved by the Board of Directors. Additional amounts may be contributed by the employee at the employee's option and contributed to the plan to the extent permitted by law. Eligible employees are all regular full-time employees and regular part-time employees who are scheduled to work 30 or more hours per week. Eligible employees may begin participation on their first day of employment.

E. Workers' Compensation Insurance

The Corporation provides workers' compensation insurance for job-related accidents or injuries, or illness arising from employment. All employees of the Corporation are eligible. Employees must report all accidents and injuries to their manager or the Vice President, Administration immediately, regardless of how minor.

F. Employee Assistance Program (EAP)

All employees who are on the Corporation's payroll are enrolled in the EAP. Covered individuals can request a confidential referral to a qualified professional for personal situations related to stress, family or parenting issues, marital or relationship issues, financial and legal problems, and many more situations that may interfere with an individual's or family's day-to-day life issues.

G. Parking and Transit

- Designated employees are eligible for reimbursement of 100% of the cost of monthly bus/trolley/Coaster pass, unless such employees receive any parking reimbursement.
- In lieu of reimbursement for monthly bus/trolley/coaster pass, certain employees may receive reimbursement ranging from 75% to 100% of monthly parking costs.
- Employees not eligible to receive reimbursement for parking, pursuant to the previous bullet, may receive a 75% reimbursement provided the employee purchases a daytime monthly parking permit at the Park It On Market, parking facility, the 6th & K Parkage parking facility, or other downtown parking with prior approval from the Assistant Vice President, Human Resources & Compliance.

H. Mileage

Employees using their automobile for Corporation business shall be compensated at a rate consistent with the non-taxable allowance provided by the IRS. Employees requesting mileage reimbursement shall certify in writing to the number of miles traveled for business reasons and the specific purpose. Such written certification shall be provided to the Chief Financial Officer for approval prior to reimbursement.

I. Tuition Reimbursement

Job-related education course costs may be reimbursed by the Corporation upon prior approval by the employee's supervisor and the Vice President, Administration. Reimbursement is made after successful completion of the approved course(s). The amount of allowable reimbursement is established each year in the Corporation's budget.

J. Management Fringe Benefit Package

The President, Chief Financial Officer/Chief Operating Officer, Principal Engineer, and all Vice Presidents and Assistant Vice Presidents of the Corporation shall receive a management benefit payable by the Corporation. Such amount will be determined during the budgetary process (current amount is \$5,000), and may be used for the employee's portion of, supplemental life insurance premiums, premiums for dependent health insurance, parking, and/or a 403(b) contribution, or alternatively an equivalent cash payment to the employee.

K. Employee Incentive Award Program

The Employee Incentive Award Program provides a means to recognize those employees who contribute to the success of the Corporation in an extraordinary manner. Funding for this program is subject to annual approval in the Corporation's budget. All regular full-time and regular part-time employees of the Corporation are eligible to receive an incentive award. Recipients may be chosen on the basis of employment classification, performance, tenure, cost savings and/or extraordinary performance during the budget year.

The President shall select the recipients of incentive awards and determine the amount or type of award to be given. An incentive award may be cash or other appropriate perquisite(s). An incentive award may be given to individual employees or shared by a group of employees. The decision to grant an incentive award is discretionary and is not subject to the grievance policy in the manual. An individual recipient of a cash award may receive no more than 25% of the total amount allocated for cash awards under the program in any fiscal year. If the award is cash, the amount shall not increase the recipient's salary; however, taxes and other withholdings as required by law will be deducted.

L. Continuation of Health Care Benefits (COBRA)

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and Cal-COBRA give employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the Corporation's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA/Cal-COBRA, the employee or beneficiary pays the full cost of coverage at the Corporation's group rates plus an administration fee. The Corporation ensures that each eligible employee receives a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the Corporation's health insurance plan. The notice contains important information about the employee's rights and obligations.

Under the law, the employee or a family member has a responsibility to notify the employer of either a divorce or legal separation or a child's loss of dependent status under the terms of the plan. You or your family member must give notice no later than sixty (60) days after the day you would lose coverage because of these events. If you fail to give notice during the 60-day period, you will no longer be able to elect continuation coverage.

Please contact the Corporation's Vice President, Administration for additional details on qualifying events and continuation of health benefits.

Appendix A

DRUG-FREE WORKPLACE POLICY

It is the policy of the Corporation to provide a drug-free workplace to employees. It is the responsibility of each employee to abide by the terms of this policy as a condition of employment.

1. Prohibited Activities

The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace, during working hours, or while on Corporation business, and may result in disciplinary action up to and including dismissal.

2. Drug-Free Awareness Program

Civic San Diego's Drug-Free Awareness Program informs employees by means of this Appendix and other methods about:

- A. The dangers of drug abuse in the workplace.
- B. The Corporation's policy of maintaining a drug-free workplace.
- C. The availability of drug counseling, rehabilitation, and employee assistance by contacting the Vice President, Administration or the President.
- D. The application of disciplinary action, including dismissal, upon employees for drug abuse violations occurring in the workplace, during working hours, or while on Corporation business.

3. Required Compliance Actions

As a condition of employment, each employee is required to:

- A. Abide by the terms of this administrative regulation.
- B. Notify the President in writing of any criminal drug statute conviction for a violation occurring in the workplace, during working hours or while on Corporation business, no later than five (5) days after such conviction.

4. Rehabilitation

Any employee who feels that he or she has developed an addiction to, dependence upon or problem with alcohol or drugs, legal or illegal, is encouraged to seek assistance. Each request for assistance will be treated confidential. Only those persons with a "need to know" will be made aware of such request. An employee who comes forward and voluntarily requests assistance or a leave of absence for the purpose of treatment of alcohol or drug-related problems will not be disciplined. However, the request for assistance or leave of absence must be made before any accident, injury, or reasonable suspicion occur as described in Section 3 (K) of this manual. Once an accident or injury or reasonable suspicion occur as described in Section 3 (K) of the personnel manual, the employee will be tested for drugs and alcohol.

Treatment for alcoholism and/or other drug use disorders may be covered by the employee benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the employee.

5. Implementation of Federal Drug-Free Workplace Act of 1988

- A. The provisions and much of the specific wording of this administrative regulation are drawn in compliance with the Drug-Free Workplace Act of 1988. Future amendment or change to this regulation shall be made with consideration of the effect those changes may have upon compliance with this Federal act and continuing good faith efforts at implementation.
- B. The President shall initiate one of the following actions within 30 days of receiving notice of any employee criminal drug statute conviction for a violation occurring in the workplace, during working hours, or while on Corporation business:
 - 1) Taking appropriate personnel action against such an employee, up to and including termination; or
 - 2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by Federal, State, or local health, law enforcement or other appropriate agency.
- C. New employees will be informed of the Corporation's Drug-Free Workplace Policy and provided a copy of this regulation as part of the new employee orientation process.

Appendix B

CITY OF SAN DIEGO, CALIFORNIA
ADMINISTRATIVE REGULATION

SUBJECT SUBSTANCE ABUSE POLICY	Number 97.00	Issue 1	Page
	Effective Date February 2, 1989		

CITY OF SAN DIEGO DRUG TESTING PROCEDURES

1. Upon arrival at the medical provider's offices, the employee completes a drug testing authorization/release of test results/recent drug usage form. The receptionist will ask for, check, and photocopy the employee's picture identification unless the employee is accompanied by a supervisor.
2. After the necessary paperwork has been completed, the employee is given a paper cup, escorted to a bathroom or restroom, and asked to provide a urine sample. The giving of the urine sample will be observed by a medical assistant.
3. In the presence of the employee, the medical assistant pours the urine sample from the paper cup into a specimen bottle, caps the bottle, and places a tamper proof seal over the cap of the bottle and down the sides of the bottle. (The seal for the bottle has a preprinted identifying number on it). The medical assistant then writes the identifying number on a Chain of Custody form, and asks the employee to verify that the number on the form is the same as the number on the bottle. The employee is then asked to sign the Chain of Custody form certifying that the urine specimen, bearing the number on the bottle and the form, was provided by him/her.
4. The medical assistant then signs the Chain of Custody form certifying that the number on the urine specimen bottle is the same as the number of the Chain of Custody form and that the urine specimen of the employee was provided in accordance with specified urine collection procedures.
5. The medical assistant places the sealed urine specimen bottle in a refrigerator.
6. The urine sample is then picked up by courier for delivery to the testing laboratory. The courier signs the Chain of Custody form acknowledging receipt of the specimen with no signs of tampering. The courier delivers the sample to the

testing laboratory. A copy of the Chain of Custody form accompanies this specimen to the laboratory. This copy identifies the specimen by number only and does not identify the employee by name.

7. The laboratory analyzes a portion of the urine specimen and reports the results to the medical provider. The remainder of the specimen is retained for further testing as necessary.

Appendix C

HEALTH AND SAFETY POLICIES/EMERGENCY PROCEDURES

I. INJURY AND ILLNESS PREVENTION PROGRAM

A. Safety and Health Policy. The Corporation is committed to maintaining a safe and healthful work environment. To achieve this goal, the Corporation has implemented this comprehensive Injury and Illness Prevention Program designed to prevent workplace accidents, injuries, and illness.

B. Corporation Housekeeping Policy. Good housekeeping is an integral part of any effective safety program. Keeping work areas neat and clean reduces the chances of accidents and injuries. Well-organized work areas also increase the ability of employees to perform their jobs efficiently. Each employee is responsible for keeping his work area neat and orderly. Housekeeping inspections will be conducted in each office and work area on a regular basis.

C. Objectives of the Injury and Illness Prevention Program. The Corporation's Injury and Illness Prevention Program is designed to prevent injuries, illness and accidents in the workplace. The primary purpose of the Program is to ensure the safety and health of Corporation employees and provide a safe and healthful work environment.

D. Responsibility for Safety and Health. All employees of the Corporation are responsible for working safely and maintaining a safe and healthful work environment. Similarly, all employees are required to know and comply with the Corporation's Health and Safety Policies and follow safe and healthy work practices at all times. Employees may be subject to discipline for engaging in any unsafe or unhealthy work practice or for violating established safety rules. Employees are also required to report immediately to their supervisor any potential health or safety hazards and all injuries or accidents. First aid supplies are located in the central copy room.

E. Program Administration. The Program Administrator is the Vice President, Administration, who is responsible for the overall management of the Corporation's Injury and Illness Prevention Program. The designated human resources representative responsible for the implementation and maintenance of the Corporation's Injury and Illness Prevention Program, and those duties include, but are not limited to:

1. Ensuring that managers and supervisors are trained in work place safety and are familiar with the safety and health hazards to which employees under their immediate direction or control may be exposed, as well as applicable laws, regulations and Corporation safety rules and policies;

2. Ensuring that employees are trained in accordance with this Program;
3. Inspecting, recognizing, and evaluating workplace hazards on a continuing basis;
4. Developing methods for abating workplace hazards; and,
5. Ensuring that workplace hazards are abated in a timely and effective manner.

II. HAZARD ASSESSMENT CONTROL

A. Identification of Workplace Hazards

1. Periodic Scheduled Inspections. The designated business representative will conduct yearly inspection of all work areas for hazards or unhealthy conditions.
2. New Matters. The designated business representative will conduct an inspection and review of any new substance, process, procedures, or equipment introduced into the workplace. The designated business representative will also arrange for an inspection and investigation whenever the Corporation is made aware of a new or previously unrecognized hazard.
3. Employee Reporting of Hazards. Employees are required to immediately report any unsafe condition or hazard that they discover in the workplace to their supervisor or a member of the human resources team. No employee will be disciplined or discharged for reporting any workplace hazard or unsafe condition. Employees who wish to remain anonymous may report unsafe conditions or hazards by submitting written notification to a Human Resources Representative without identifying themselves.
4. Documentation of Inspections. The designated human resources representative will fill out an Inspection checklist form. This form will be kept permanently on file by the Corporation.

B. Monitoring and Correcting Identified Potential Safety and Health Concerns

1. Identified Safety and Health Concerns
 - a. **Open File Drawers** - No more than one file drawer in a cabinet

shall be open at a time.

- b. **Lifting of Boxes** - Proper lifting technique shall be used in all tasks where lifting is required. The person performing the tasks shall use the muscles of the legs, instead of the muscles in the lower back. If there is any question of an employee's ability to lift an object, he/she is required to ask for assistance.
- c. **Extension or Electric Cords** - Cords will be placed out of any foot traffic areas.
- d. **Doors** - Doors that open into hallways will have user warning stickers.
- e. **Lighting** - Lighting will be maintained at the optimum effectiveness to ensure appropriate level of illumination for work areas. Specialized lighting will be provided for specific tasks, i.e., Graphics Department.
- f. **Floor Covering** - Any holes, tears or bubbles that impede foot traffic will be repaired.
- g. **Cleaning Materials** - All cleaning materials will be kept in a separate closet.
- h. **Chairs** - All pieces of furniture used for the performance of tasks will be adjusted, positioned and arranged to minimize strain on all parts of the body.
- i. **Indoor Pollutants** - The Corporation will supply and maintain indoor plants to filter contaminants.
- j. **Solvents** - All solvents used will be kept in containers exclusively designed and equipped to handle the chemical. Storage areas in which solvents are kept will be identified and marked.
- k. **Computer Glare** - If glare is present on a computer monitor, the Corporation will supply glare screens.
- l. **Ladders and Carrying Dollies** - Ladders and carrying dollies will be kept in good repair and safe operating condition. Employees using ladders and carrying dollies will utilize these conveyances according to the manufacturers' instructions.

2. Newly Discovered Safety and Health Concerns. The Corporation will immediately investigate any newly discovered or reported safety and health concerns. The designated business representative will conduct an investigation and submit a report to a member of the Human Resources Department. The human resources representative will determine if there is cause for action. If the newly discovered safety and health concerns are serious concealed dangers which pose an imminent risk of great bodily harm or death, the human resources representative shall immediately alert the Program Administrator who shall warn affected employees orally and in writing and inform appropriate agencies as provided in Section 3 below.

3. Hazards Which Give Rise to a Risk of Imminent Harm. Whenever possible, it is the Corporation's intent to abate immediately any hazard which gives rise to a risk of imminent harm. When such a hazard exists which the Corporation cannot abate immediately without endangering employees and/or property, all exposed personnel will be removed from the area of potential exposure except those necessary to correct the hazardous condition. If the risk is of great bodily harm or death is imminent, the human resources representative, or any other manager of the Corporation must immediately warn affected employees orally and in writing and also inform the Division of Occupational Safety and Health (OSHA) in the California Department of Industrial Relations immediately in writing. If the risk is not imminent, the human resources representative, or any other manager of the Corporation, must inform OSHA in writing within fifteen days (15), unless the hazard has been abated within that period. All employees involved in correcting the hazardous condition will receive appropriate training in how to do so and will be provided with necessary safeguards.

III. COMPANY SAFETY RULES

- A. General
 1. All persons shall follow these safe practices rules, render every possible aid to safe operations and report all unsafe conditions or practices to their supervisors.
 2. Supervisors shall insist on employees observing and obeying every rule, regulation and order that is necessary for the safe conduct of work and shall take necessary action to obtain observance.

3. Anyone known to be under the influence of drugs or intoxicating substances shall not be allowed on the job while in that condition.
4. Horseplay, scuffling and other acts which tend to have an adverse influence on the safety or well-being of employees shall be prohibited.
5. No one shall knowingly be permitted or required to work while the employee's ability or alertness is so impaired by fatigue, illness or other causes that it might unnecessarily expose the employee or others to injury.
6. Employees shall not enter manholes, underground vaults, chambers, tanks, silos, or other similar places that receive little ventilation unless it has been determined that it is safe to enter.
7. Employees shall not handle or tamper with any electrical equipment, machinery or air or water lines in a manner not within the scope of their duties, unless they have received instructions from their supervisor.
8. All injuries shall be reported promptly to the appropriate supervisor so that arrangements can be made for medical or first aid treatment.

B. Vehicles

1. Drivers and passengers in the Corporation vehicle shall secure seatbelts at all times during operation and shall report defective restraints to their supervisor.
2. The Corporation vehicle will undergo periodic inspections of the tires, brakes, shocks, suspension system, and seat belts by a licensed mechanic.
3. If an employee's job requires that he/she keep his/her cell phone turned on while driving, he/she must use a hands-free device. Under no circumstances may employees place phone calls while operating a motor vehicle while driving on corporation business and/or corporation time. The corporation recommends programming frequently used numbers into the phone rather than looking up numbers before dialing. If an employee does not have a hands-free device, he/she must safely pull off the road before conducting any company business.

Writing, sending, or reading text-based communication – including text messaging, instant messaging, and e-mail – on a wireless device or cell

phone while driving is also prohibited.

IV. COMMUNICATING WITH EMPLOYEES ON SAFETY AND HEALTH ISSUES

The Corporation shall distribute a copy of the Health and Illness Prevention Program to all employees. The Corporation shall post the Safety and Health Policy in a visible and accessible area. The Corporation shall keep on file a copy of California Senate Bill 198.

A. Safety Meetings. Safety meetings will be conducted by the Program Administrator semi-annually. During these meetings, the Program Administrator shall discuss with the employees:

1. Any new hazards that have been introduced or discovered in the workplace;
2. Causes of recent accidents or injuries and the methods adopted by the Corporation to prevent similar incidents in the future; and
3. Any health or safety issue deemed by the Program Administrator to require reinforcement.

B. Anonymous Notification Procedures. The Corporation has a system of anonymous notification whereby employees who wish to inform the Corporation of workplace hazards may do so anonymously by sending a written notification to a member of the Human Resources Department. The human resources representative shall investigate all such reports in a prompt and thorough manner.

C. Posting. The Corporation will post the Safety and Health Policy in the employee break lounge.

D. Training. The Corporation has training requirements designed to instruct each employee on general safety procedures as well as on safety procedures specific to the employee's job. These training requirements are described in greater detail in Section V of this program.

V. SAFETY AND HEALTH TRAINING

Awareness of potential health and safety hazards, as well as knowledge of how to control such hazards, is critical to maintaining a safe and healthful work environment and preventing injuries, illnesses, and accidents in the workplace. The Corporation is committed to instructing all employees in safe and healthful work practices. To achieve this goal, the Corporation will provide training to each employee with regard to general

safety procedures and with regard to any hazards or safety procedures specific to that employee's work assignment. In addition, the Corporation will train two designated employees each year in Cardiopulmonary Resuscitation and Basic First Aid techniques.

- A. When Training Will Occur. Training will be provided as follows:
1. Upon hiring;
 2. Whenever an employee is given a new job assignment for which training has not previously been provided;
 3. Whenever new substances, processes, procedures or equipment which represent a new hazard are introduced into the workplace;
 4. Whenever the Corporation is made aware of a new or previously unrecognized hazard; and
 5. Whenever the Program Administrator believes that additional training is necessary.

VI. ACCIDENT INVESTIGATION

A. Corporation Policy. All work-related accidents will be investigated by the Corporation in a timely manner. Minor incidents and near misses will be investigated as well as serious accidents. A near miss is an incident which, although not serious in itself, could have resulted in a serious injury or significant property damage.

B. Responsibility For Accidents Investigation. The designated human resources representative under the supervision of the Vice President, Administration, will investigate all accidents and near misses.

C. Documentation. The designated business manager will submit a report to the Program Administrator of the findings. The Program Administrator will decide if there is cause for action.

VII. EMERGENCY PROCEDURES

A. Medical Emergency Procedures

1. Employees Requiring Medical Attention

- a. Call the San Diego Fire Department - 911. Be prepared to provide:

1. The address of the Building - 401 B Street San Diego, CA 92101
2. The floor and suite number - Suite 400
- b. Call Building Security – 619-232-9351. Building Security will:
 1. Bring necessary elevator to the lobby level.
 2. Meet the emergency crew and direct them to the appropriate area.
2. Ambulance Services. The Fire Department Ambulance Service - 911 - will automatically take the patient to the nearest medical facility. If another hospital is desired in non-emergency situations, consult the yellow pages in advance for alternate services. Have the alternate number handy.

B. Earthquake Emergency Procedures.

Earthquakes are one of the nation's most frightening natural phenomena. When an earthquake occurs, the ground will shake perceptibly for a relatively short time, perhaps only for a few seconds or for as much as a minute in a great earthquake.

1. Precautions to Take During the Earthquake.
 - a. Try to remain calm and to reassure others.
 - b. If you are indoors, move immediately to a safe place. Get under a desk, table, or work bench if possible. Stand in an interior doorway or in the corner of a room. Watch out for falling debris or tall furniture. Stay away from windows and heavy objects (such as refrigerators and machinery) that may topple or slide across the floor.
 - c. Do not dash for exits, since stairways may be broken and jammed with people. Power for elevators may fail and stop operating. Seek safety where you are at the time of the incident and then leave calmly if evacuation is necessary.
 - d. Do not be surprised if the electricity goes out, or if elevator, fire and burglar alarms start ringing, or if sprinkler systems go on. Expect to hear noise from breaking glass, cracks in walls and falling objects.

- e. If you are outdoors, try to get into an open area, away from buildings and power lines.
 - f. Do not be surprised if you feel more than one shock. After the first motion is felt, there may be a temporary decrease in the motion followed by another shock. (This phenomenon is merely the arrival of different seismic waves from the same earthquake.) Also, after-shocks may occur - these are separate quakes which follow the main shock. After-shocks may occur several minutes, several hours, or even several days afterwards. Sometimes after-shocks will cause damage or collapse of structures that were already weakened by the main earthquake.
2. Precautions to Take After the Earthquake. When the shaking stops, there may be considerable damage and people may be injured. It is especially important that everyone remain calm and begin the task of taking care of one another. The first concern is for those who are hurt, and the next concern is to prevent fires. After that, damage can be assessed and remedial measures begun.
- a. Remain calm, and take time to assess your situation.
 - b. Help anyone who is hurt; administer emergency first aid when necessary. Cover injured persons with blankets to keep them warm. Seek medical help for those who need it.
 - c. Check for fires and fire hazards. Put out fires immediately if you can.
 - d. Check for damage to utilities and appliances. Shut off electricity if there is any chance of damage to wiring.
 - e. Shut off water mains if breakage has occurred. In due time, report utility damage to the utility companies and follow their instructions.
 - f. Do not light matches, or use any open flames, or turn on electrical switches or appliances, until you are certain there are no gas leaks.
 - g. Do not touch power lines, electrical wiring, or objects in contact with them.
 - h. Do not use the telephone except to call for help or to report serious

emergencies (medical, fire or criminal), or to perform some essential services. Jammed telephone lines interfere with emergency services, and it is thoughtless to use the phone for personal reasons or to satisfy curiosity. When the emergency is clearly over, contact relatives and friends so they will know you are safe and where you are.

- i. Be certain that sewer lines are not broken before resuming regular use of toilets.
- j. Clean up and warn others of any spilled materials that are dangerous, such as chemicals, gasoline, etc.
- k. Listen to the radio for information about the earthquake and disaster procedures.
- l. Be prepared to experience after-shocks. They often do additional damage to buildings weakened by the main shock.
- m. Use great caution when entering or moving about in a damaged building. Collapses can occur without much warning, and there may be dangers from gas leaks, electric wiring, broken glass, etc. There are no rules which can eliminate all earthquake danger. However, damage and injury can be greatly reduced by following the simple rules contained in these procedures.

C. **Fire Emergency Procedures.**

- 1. If you discover a fire:
 - a. Evacuate anyone in immediate danger.
 - b. Close doors to confine the fire.
 - c. Call the fire department - **911**. Give exact location and any other available details of the fire.
 - d. Activate the building fire alarm.
 - e. Attempt to extinguish the fire, if safe to do so.
 - f. Evacuate the area, closing all doors behind you.

- g. Walk to the nearest stairwell.
 - h. Proceed to a safe area of refuge.
2. When a fire alarm sounds on the floor or employees are ordered to evacuate:
- a. Proceed to the nearest exit stairwell.
 - b. Feel any doors you must pass through to see if they are hot. If not hot, open the door cautiously. Be prepared to close it quickly.
 - c. Listen for emergency instructions on the Emergency Communication speakers.
 - d. If no information is provided, evacuate the building and proceed to a safe area of refuge.
 - e. If you encounter smoke in the exit stairwell, leave that stairwell at the nearest clear floor and proceed to the next stairwell.
3. If a door feels hot:
- a. Do not open it. Proceed to an alternate door.
 - b. If no alternate door is available:
 - c. Remain in the room.
 - d. Seal the bottom of the door and any vents to help keep smoke out.
 - e. Close as many doors as possible between you and the fire.
 - f. Call Building Security – 619-232-9351. Give them your exact location and condition.

Stay near a window to signal if necessary.

4. If smoke enters the room:
- a. Stay low -- air is cooler and cleaner near the floor.
 - b. Hold a wet cloth over nose and mouth if necessary.

- c. Remain calm. Do not break the windows except as a last resort.
5. If you smell smoke:
- a. Notify Building Security – 619-232-9351. Report the smoke, giving location, if possible, and any other available details.
 - b. Notify the designated business manager and designated Fire Warden/Monitor.
 - c. Wait for a response from Building Management.

DO NOT use the elevators.
DO NOT evacuate unless instructed to do so.

D. Bomb Threat Response Procedures.

1. Bomb Threat Received by Employee. In the event that a bomb threat is received, the following guidelines will be observed:
 - a. The Police Department will be notified immediately.
 - b. The President, Chief Financial & Operating Officer, and the Vice President, Administration will be informed of the situation.
 - c. Employees should be alert for any unfamiliar people or objects to point out to the police or building staff upon their arrival. DO NOT touch or handle any suspected objects.
 - d. The Vice President, Administration or designee, accompanied by the police and building staff, will make a complete search of the suspected areas. It will be the responsibility of the Vice President Administration or designee to identify any suspicious items or packages which do not belong in the space.
 - e. If the bomb threat is received against the building, and not a specific floor, all public access areas, beginning with the most accessible, will be searched.
2. Employee Evacuation. The President, Chief Financial & Operating Officer, and the Vice President, Administration will have the responsibility of deciding whether the office should be evacuated. If you are ordered to

evacuate, all the following steps should be followed:

- a. The designated business representative will be given the order to evacuate.
- b. Everyone should proceed quickly, but calmly, to nearest stairway exit.

DO NOT RUN!

- c. The designated business representative and Fire Monitors should walk the suite to assist employees and make sure everyone is aware of the evacuation order.
- d. Evacuation, depending upon the size and type of explosive device, is normally one floor below and two floors above the bomb. Once the evacuation has begun, no one should attempt to re-enter the evacuated area until it has been declared safe by the Police Department or Building Management.
- e. Upon arrival at the rendezvous floor designated by the Vice President, Administration, everyone should remain in the pre-arranged corridor area. No one should wander about the floor or leave the floor unless directed to do so by the police or Building Management.
- f. The designated human resources representative should proceed to take a head count to determine if anyone is missing from his/her office. If someone is missing, this information should be relayed to the Building Personnel on duty at the rendezvous floor.

Appendix D

ACCEPTABLE USES OF CIVIC SAN DIEGO INFORMATION TECHNOLOGY FACILITIES

I. Introduction

All Civic San Diego Information Technology (“IT”) facilities and information resources remain the property of Civic San Diego (“Corporation”) and not of particular individuals, teams or departments. By following this policy we’ll help ensure IT facilities are used:

- Legally
- Securely
- Without undermining the Corporation
- Effectively
- In a spirit of cooperation, trust and consideration for others
- Properly to ensure systems remain available

The policy relates to all Information Technology facilities and services provided by Civic San Diego. All staff are expected to adhere to it.

II. Precautionary and Disciplinary Measures

Deliberate and serious breach of the policy statements in this section will lead to disciplinary measures which may include the offender being denied access to computing facilities, or termination from employment.

- A. Employees are required to use software legally in accordance with both the letter and spirit of relevant licensing and copyright agreements. Copying software for use outside these agreements is illegal and may result in criminal charges.
- B. Employees may not attempt to gain unauthorized access to information or facilities. The Computer Misuse Act 1990 makes it a criminal offence to obtain unauthorized access to any computer (including workstations and personal computers) or to modify its contents. If you don't have access to information resources you deem necessary, please contact the IT department.
- C. Employees may not disclose personal system passwords or other security details to other staff, volunteers or external agents and may not use anyone else's login; this compromises the security of the Corporation. If an employee's password is

compromised, he/she must change it or seek assistance from the IT Manager. This provision does not apply to an employee's immediate supervisor.

- D. If an employee leaves his/her computer unattended without logging off, he/she is responsible for any misuse of it while he/she is away.
- E. Employees are required to always check Compact Disks and Thumb Drives for viruses, even if they think they are clean (contact IT for support). Computer viruses are capable of destroying the Corporation's information resources.
- F. Employees are representatives of the Corporation when they are on the Internet using email, or using social media. All actions must be in the interest (and spirit) of the Corporation and must not leave the Corporation open to legal action.
- G. Employees may not trade insults with other people using the Internet with whom they disagree.
- H. Obscenities/Pornography: Employees may not write it, publish it, look for it, bookmark it, access it or download it.
- I. Any information available within IT facilities must not be used to monitor the activity of individual staff in any way (e.g. to monitor his/her working activity, working time, files accessed, internet sites accessed, reading of their email or private files etc.) without their prior knowledge. Exceptions are:
 - 1. In the case of a specific allegation of misconduct, when the President or his/her designee can authorize accessing of such information when investigating the allegation
 - 2. When a member from the IT staff cannot avoid accessing such information while fixing a problem
 - 3. In such instances, the person concerned will be informed immediately and information will not be disclosed wider than is absolutely necessary. In the former case his/her access to IT facilities may be disabled pending investigation.

III. Use of Email Distribution Lists

- A. Email may only be sent to those for whom they are meant. Employees may not broadcast (e.g. send to large groups of people using email aliases) unless absolutely necessary since this runs the risk of being disruptive. Unnecessary (or junk) email reduces computer performance and wastes storage space.
- B. Employees must use the standard alias for work-related communication only.

- C. If employees wish to broadcast other non-work related information or requests (e.g. information or opinions on political matters outside the Corporation's campaigning, social matters, personal requests for information etc.) they must use a Webmail account or a personal email account at home; they may not use the standard (work) aliases.
- D. Employees may not broadcast emails with attachments to large groups of people. They must note in the email where the attachment is located, or they must include it in the body of the email. Failure to do this puts an unnecessary load on the network. If uncertain, please contact an IT staff member for assistance.

IV. General Points on Email Use

- A. When publishing or transmitting information externally, employees must be aware that they are representing the Corporation and could be seen as speaking on the Corporation's behalf. Employees must make it clear when opinions are personal. If in doubt, employees must consult with their supervisor for advice.
- B. Employees may not forward emails warning about viruses (they are invariably hoaxes and IT will probably already be aware of genuine viruses). If in doubt, employees must contact an IT staff member for advice.
- C. Employees may not forward Email or upload any file attachments containing confidential Corporation data or information to a personal (external) Email account (e.g., Yahoo, Gmail, AOL, Etc.)

V. Miscellaneous

- A. All hardware and software purchases must be pre-approved by the IT Manager.
- B. An employee must receive permission from the IT Manager before installing any software on equipment owned and/or operated by the Corporation.
- C. Master copies of important data must be stored on the Corporation's network and not solely on an employee's local drives. If not stored properly on the network, important data will not be backed up and is therefore at risk. Employees must ask for advice from an IT staff member if they need to store, transmit or handle large quantities of data, particularly images or audio and video. These large files use large amounts of storage space quickly and must be managed carefully.
- D. Employees are not permitted to store personal (non- Corporation) files on the Corporation's network.

- E. Employees may not copy files which are accessible centrally into their personal directory unless they you have business reason to do so (e.g. the intention is to amend them) since this uses up storage space unnecessarily.
- F. Occasional use of facilities for personal purposes (e.g. sending and receiving personal email, using the Internet) is permitted so long as such use does not:
 - 1. Consume an extraordinary amount of time during work hours
 - 2. Incur specific expenditure for the Corporation
 - 3. Impact an employee's job performance (this is a matter between each member of staff and his/her supervisor)
 - 4. Break the law
 - 5. Bring the Corporation into disrepute
- G. Employees may not re-arrange how equipment is plugged in (computers, power supplies, network cabling, modems etc.) without first obtaining permission from the IT Manager.
- H. Employees may not take food or drink into rooms which contain specialist equipment like servers. Access to such rooms is limited to authorized staff.

Appendix E

CELLULAR TELEPHONE/PERSONAL DIGITAL ASSISTANT POLICY

A. POLICY

To provide a payment or reimbursement allowance for cell phones or Personal Digital Assistants (“PDA”) based on employee and/or Civic San Diego (“Corporation”) employment requirements.

B. PURPOSE

To provide guidelines/procedures and a reimbursement policy regarding employee use of personal cell phone and/or PDA (or a Corporation provided cellular phone/PDA) for business related activities. While at the Corporation office, employees are required to use their corporation-provided equipment to perform corporation business.

C. DEFINITIONS

“Wireless Services” is defined to include a cellular phone, PDA, web access, wireless phone services and/or any other device facilitating wireless communications.

“Field Position” is defined as those individuals working outside of the office on a regular basis.

D. AMOUNTS

Designated Field Positions and/or individuals will be provided a cell phone by the Corporation due to the nature of the job requirement. For other positions the reimbursement allowance for wireless services will be \$15 per month, \$30 per month, or \$50 per month depending upon position.

In addition, an employee may receive an “initial” equipment reimbursement of up to \$50 or up to \$100 as determined by his/her position. Every two years thereafter, an employee may receive an equipment upgrade reimbursement of up to \$25 or \$50 as determined by his/her position. Employees may not receive an equipment upgrade reimbursement more than one time in any two-year period.

E. DESIGNATED POSITIONS

The President or his/her designee will determine the provisions for Corporation-sponsored employee cell phones and/or reimbursement. It will be at the discretion of the department managers as to which individuals receive an allowance. Designated positions may be modified depending upon employment requirements.

F. SAFETY

California law mandates that drivers are not allowed to hold or touch their cellular telephones for any reason, including for phone calls, emails or text messages, or to access any apps or playlists, while the vehicle is in motion. Therefore, the Corporation strictly prohibits the use of all cellular telephones and other personal digital assistant ("PDA") technology while an employee is driving. Cellular telephones may not be used under any circumstances while an employee is operating a motor vehicle. Drivers may not hold their cellular telephones while driving for any reason, including but not limited to, making phone calls, reading, preparing or typing text messages or emails, or accessing any applications including the internet. An employee is not responsible for checking and responding to the Corporation's emails, text messages and phone calls while driving a vehicle. If an employee is found to have violated this prohibition against the use of cellular telephone technology while driving, the employee may also be subject to discipline, up to and including termination.

G. REIMBURSEMENT

Monthly allowances will be reimbursed in arrears on a quarterly basis. Documentation will be required in the form of an expense report with a copy of the preceding three months summary bill of the cell phone service. Receipts must be submitted for any equipment reimbursement provided such expenditure was incurred during the current fiscal year. Equipment reimbursements will be refundable to the Corporation if an employee leaves the Corporation within nine months of receiving such reimbursement.

H. OTHER

Individuals with cell phones paid by the Corporation either by reimbursement or allowance will have their respective cell phone number listed with the Corporation. Employee communications that pertain to the Corporation's business on private cellular telephone and PDA devices may be subject to disclosure under the public records act. Any reimbursement amount may be taxable to the employee depending on applicable IRS rules.

I. Cell Phone Usage During Non-Work Hours and Non-Exempt Employees

Non-Exempt employees are not required to monitor, read or respond to their Corporation emails, telephone calls, or text messages during non-working hours.

For non-exempt employees, the work week runs Monday through Friday from 8:00 AM to 5:00 PM unless an adjustment from the regular work schedule has been granted. All work performed in excess of eight (8) hours per workday is considered overtime. All overtime must be approved in advance by the employee's supervisor. An employee who works unauthorized overtime will be compensated at the overtime rate, but the failure to secure advance approval may subject the employee to discipline, up to and including termination. This includes checking and responding to their Corporation emails, text messages and telephone calls during non-working hours.