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**Associated Students Incorporated**  
**Non-Student Employment Manual**  
**Welcome**

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Congratulations and welcome to the Associated Students, Inc (ASI) team! Thank you for accepting ASI's offer of employment. One of the keys to fulfilling our organizational mission is hiring quality employees. We have hired you because we believe you have the skills and the potential to contribute to the continued growth and success of ASI. We depend upon you and each of our employees to perform assigned tasks to the best of your abilities. We believe that your hard work and commitment will not only help ASI succeed, but also enhance your professional growth and give you a sense of pride and accomplishment.

Each member of the ASI team plays an important role and we value the abilities, experience, and background that you bring to the organization. Through you and each of our employees, ASI is able to enrich the quality of student life and serve the campus community.

The ASI Leadership Team and your supervisor intend to provide you with the direction, support, and resources you need to perform your job effectively. We look forward to having you on the ASI Team and a mutually beneficial term of employment with ASI.

**Associated Students Incorporated**  
**Non-Student Employment Manual**  
**Description of Manual**

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This Policies and Procedures Manual contains information about the employment policies and practices of ASI. We expect each employee to read this manual carefully, as it is a valuable reference for understanding your job and ASI. This Policies and Procedure Manual supersedes all previously issued Employee Handbooks or Policies and Procedure Manuals and inconsistent verbal or written policy statements. ASI reserves the right to revise, delete and add to the provision of this Manual. All such revisions, deletions, or additions must be in writing and must be certified by the Executive Director. No oral statements or representations can change the provisions of this manual.

None of ASI's personnel documents and benefit plans, including this manual, constitutes, or is intended to constitute, an express or implied contract guaranteeing continued employment for any employee. No manager has any authority to enter into a contract of employment – express or implied – that changes or alters the at-will employment relationship. Only the Executive Director, in consultation with the ASI Senate has the authority to enter into an employment agreement that alters the at-will employment relationship and any such agreement must be in writing.

Not all ASI policies and procedures are set forth in this manual. We have summarized only some of the more important ones. The accompanying documents to the Policies and Procedures Manual include the Student Assistant Employee Handbook, the Management Employment Plan (MEP) and Injury and Illness Prevention Program (IIPP). If you have any questions or concerns about this manual or any other policy or procedure, please direct these to your supervisor, the Human Resources Office, or the Executive Director.

ASI reserves the right to alter, supplement or rescind any of the provisions in this manual, as well as any of its personnel policies, from time to time, as appropriate, at its sole and absolute discretion. Each employee of ASI can assist in keeping the Manual up to date by notifying their supervisor whenever problems are encountered or improvements can be made in the administration of our personnel policies.

**Associated Students Incorporated  
Non-Student Employment Manual  
Section 1 General Information**

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## **1.1 Introduction**

Established in 1963, Associated Students, Inc. is a recognized auxiliary organization of Cal Poly Pomona that is led, funded and mainly staffed by students. Guided by the core commitments to the promotion of student development and provision of quality facilities, programs and services, ASI provides for student representation at the campus and system-wide level and offers leadership development through student government, student-led programming, student employment and student involvement in a wide array of Bronco Student Center (BSC) programs and services, including the Bronco Fitness Center, as well as the Children's Center. ASI fully supports the enrichment of student life by providing annual funding support for student clubs and organizations, diversity programs, athletic scholarships and academic support programs.

ASI is not a division of Cal Poly Pomona and ASI employees are **not** State employees. ASI is an independent corporation with management, budget support and personnel policies that are separate and distinct from those of the University. As a private non-profit corporation, ASI is governed by the ASI Senate or Board of Directors, in accordance with its Articles of Incorporation and Bylaws. The ASI Senate meets bi-monthly during the July 1 to June 30 fiscal year. The Personnel Review Committee, a University-wide committee established by the University President, recommends to the ASI Senate all hiring and personnel policies, appointment procedures and other policy matters involving personnel employed by ASI.

ASI revenues are derived mainly from ASI and BSC student fees and are expended for programs, activities and services to enhance learning opportunities, as well as meet the needs of students and the campus community. Professional staff provides for the daily management and operation of ASI, with additional support from part-time student employees. The entire staff is under the overall supervision of the ASI Executive Director, who in turn has a direct reporting line to the University Vice President for Student Affairs and dotted reporting lines to the ASI Senate and the University Vice President for Administrative Affairs.

## **1.2 Mission Statement**

Associated Students, Incorporated, Cal Poly Pomona is a California State University recognized auxiliary organization and a nonprofit corporation that seeks to:

- Foster student advocacy, representation, engagement and academic success
- Establish opportunities for learning, leadership and development for students and its staff
- Create an environment that promotes collaborative partnerships, cultural diversity and campus pride
- Provide high quality facilities, programs and services to students, administrators, faculty, staff, alumni and the off-campus community.

## **1.3 Vision Statement**

Associated Students, Incorporated, Cal Poly Pomona will continue to distinguish itself as an exemplary University auxiliary and a nonprofit corporation that:

**Assembles and develops its team to build a thriving campus community**  
**Serves in a culture of learning, leadership, and collaboration**  
**Inspires innovation and sustainability**

## **1.4 Motto**

The motto of ASI is "**Students Serving Students**".

## 1.5 Ethics Clause

The officers and staff of ASI have ethical duties to themselves, the corporation, and the students of Cal Poly Pomona. Specifically, this involves holding oneself to the highest ethical duties standards in all ASI related matters, including on and off campus events and activities. Concurrently, individuals shall never attempt to accomplish personal goals at the expense of the corporation or the student body as a whole. Individuals shall remain dedicated and true to the values of ASI while remaining loyal and contributing members of the corporation.

## 1.6 Statement of Values

### Introduction

The values of the Associated Students, Inc. (ASI) Cal Poly Pomona are the ideals that we embrace and strive to achieve. These values serve as the cornerstone of ASI's philosophy, which upholds the motto of the organization, "students serving students", and its mission – to promote the development of all its members.

### Integrity

Integrity conveys character and accountability. We strive to maintain integrity by exhibiting the highest degree of professionalism and consistently setting a good example.

### Honor

Honor stands for the highest standards of honesty, truthfulness and virtue. We uphold honor by acknowledging and validating the core principles of every individual.

### Dedication

Dedication exemplifies our deep commitment and passion for the mission of the organization, as manifested in our work and interaction with the student body and the campus community. Dedication inspires us to look out for the interests of the organization and the student body we serve.

### Loyalty

Loyalty provides the foundation for our connection with the student body and the campus community. Loyalty bonds us together to uphold the dignity and stature of the organization, seek its continued improvement as well as foster campus spirit and pride.

### Respect

Respect represents the regard and esteem that we demonstrate for each other, each student and each community member. Through respect, we nurture an environment that is accepting of the beliefs and opinions of the others and upholds the dignity of all.

## 1.7 Major Operations

The Associated Students Incorporated (ASI) provides a broad range of facilities, programs and services, which include:

- ASI Student Government
- ASI Business Services
- Games Room Etc. and ASI Box Office
- Gas Creative Group
- The B.E.A.T (Bronco Events and Activities Team)
- Bronco Student Center Building Repair and Maintenance
- Bronco Student Center Conference and Events
- Bronco Student Center Custodial Services
- Bronco Fitness Center
- Children's Center
- Campus Recreation

**Other services provided by Bronco Student Center contracted lessees:**

- Bronco Copy N' Mail
- Cal Poly Pomona Federal Credit Union
- Center Court, Foundation Dining Services
- ATM Services, Bank of America

**1.8 Bronco Student Center (BSC) – Purpose and History**

ASI, Pomona is one of the six AS organizations in the California State University (CSU) system that is charged with the operation of the student center. ASI operates the Bronco Student Center (BSC) to serve the campus and surrounding community. The BSC is an out-of-classroom center for learning and gathering location for students, faculty, staff, alumni, and guests. Through its wide array of educational programs, student leadership experiences, and student employment opportunities, the BSC is committed to the actualization of the University's philosophy of "learning by doing". As a venue and catalyst for creating a sense of community in a multicultural environment, the BSC, through continuous self assessment, seeks to constantly enrich student life through its quality facilities, program and services.

The Bronco Student Center has served as "the living room of the campus" for Cal Poly Pomona students, faculty and staff since 1974 when what was then called the "University Union" opened its doors to the students and the campus community. The "University Union" was expanded in 1981 when the Union Plaza was dedicated as an addition to the University Union facilities.

The passage of the "University Union Improvement Project Initiative" in February 1996, led to the renovation of the University Union in 1998, which included the refurbishment of the lower and upper lobby areas, opening of additional services such as Round Table Pizza, Bronco Copy N' Mail, the campus Health/Wellness Center satellite and enhancement of the Union Plaza. The "University Union" name change to the Bronco Student Center was approved in August, 2002. In April 2003, the expanded Bronco Student Center was completed, realizing the goal to double the square footage of the original building and offer the Bronco Fitness Center, a mall-style Center (Food) Court, larger and enhanced conference and events facilities, a Bronco Exhibit Gallery program and increased study and lounge spaces.

All policies pertaining to the operational use, funding, oversight and operation of the BSC are formulated and recommended to ASI Senate by the ASI Facilities and Operations Committee. This committee provides for representation from students, faculty, alumni, ASI and campus staff and the University administration.

**1.9 Personnel Review Committee**

The Personnel Review Committee (PRC) is a campus committee established by the University President to recommend and review ASI personnel policies and practices, ensuring that such policies are in compliance with all applicable regulations. The PRC is co-chaired by the ASI President and Vice President for Student Affairs (University president's designee). The members include:

- ASI Vice President
- ASI Senate Pro-Tempore
- ASI Facilities and Operations Student Representative
- University Student Affairs Representative
- University Administrative Affairs Representative
- ASI Executive Director

## **2.1 Equal Employment Opportunity**

ASI reaffirms and extends its policies of non-discrimination in its programs, activities and all matters affecting students, employees and applicants for employment. It is ASI's policy to recruit, employ, retain, transfer, promote, compensate, discipline, terminate and treat all employees and job applicants on the basis of merit, qualifications and competence. This policy shall be applied without regard to the qualified individual's race, color, religion, creed, sex, gender orientation, national origin, ancestry, age, marital status, medical condition, physical or mental disability, as well as any other category protected by applicable law. It is the duty of every employee to contribute to a work environment that promotes this policy.

## **2.2 Americans with Disabilities Act (ADA)**

ASI is committed to full compliance with the Americans with Disabilities Act and the disability discrimination provisions of California's Fair Employment and Housing Act.

## **2.3 At Will Policy**

Employment with ASI is voluntarily entered into, and the employee is free to resign at will at any time, with or without cause. Similarly, ASI maintains a strict policy of at-will employment with respect to both the duration and terms and conditions of the employment relationship. This means that ASI reserves the right to change the terms and conditions of the employment relationship or to terminate the relationship at will, with or without cause or prior notice. Moreover, as a matter of corporate policy, ASI does not enter into written or oral contracts or agreements guaranteeing employment or compensation for any particular period of time with any individual employees. No ASI employee is authorized to make guarantees of employment or compensation. This policy of at-will employment is not subject to change other than through an express written agreement signed by the employee, the Executive Director, and the ASI Senate.

## **2.4 Compensation Policy**

Associated Students, Inc. will develop and maintain a compensation program which may include: Base Salary (wages paid for a job performed); Merit Pay (salary adjustment based on performance evaluation and completion of work plan goals and objectives) and Employee Benefits (health, dental time off with pay, retirement/savings programs and other benefits) in order to:

- Provide a level of competitive compensation in line with ASI's mission, goals, objectives and outcomes.
- Create a compensation program that is separate from but comparable with the University pay and benefits system.
- Retain and motivate employees who perform effectively.
- Have the ability to attract highly qualified candidates to meet staffing requirements.
- Foster teamwork among employees in ASI.

## **2.5 Recruitment**

It is the policy of ASI to post all open positions for a minimum of five working days. In addition, the Human Resources Office may utilize other recruitment media, as it deems appropriate.

## **2.6 Hiring Policies and Procedures**

Only those individuals who have completed an ASI Application for Employment form are eligible for employment consideration. Applications are screened and information is verified by the Human Resources Office for substantiation of

minimum qualification requirements. All posted positions shall be subject to a search process. Recommendations are made by the search committee to the ASI Executive Director, who serves as the hiring authority for all staff positions.

## **2.7 Moving and Relocation Policy**

A new employee who changes his or her residence to accept employment with ASI may be entitled to assistance with a portion of total moving and travel costs. The letter of offer of employment, which is approved and signed by the ASI Executive Director, will confirm the maximum dollar amount which ASI will provide to cover eligible reimbursable expenses, per established procedures and as substantiated by original receipts. ASI reserves the right to set, rescind or change its procedures and the maximum reimbursement amount per new employee, subject to available budget resources, but not to exceed \$5,000 for each new employee. Under special circumstances, additional amounts may be approved by the Executive Director.

### Eligible Expenses

Expenses that are eligible for reimbursement are applicable only to the employee and not the family members. These shall include:

- Travel
- Lodging (including one day in previous residence up to the day of arrival at new location)
- Costs of moving household goods and personal effects (excludes automobiles, motor vehicles, boats and farm tractors)
- Mileage, if applicable (one way allowance for a single vehicle, based on federal standard mileage rate)

Reimbursements for moving a relocation expenses are not subject to tax if they meet federal guidelines. Nonqualified moving expenses, per federal guidelines, are taxable and therefore the responsibility of the new employee.

### Recovery of Reimbursement

If the employee does not continue employment with ASI for a period of two years, (unless the discontinuance of employment is beyond the employee's control, as determined by the SI Executive Director, the employee shall be require to repay the moving and travel expenses, according to the following terms:

- a. 100% if employee works less than or equal to 6 months;
- b. 75% if employee works more than 6 months but less than or equal to 12 months;
- c. 50% if employee works more than 12 months but less than or equal to 18 months; and
- d. 25% if employee works more than 18 months but less than or equal to 2 years.

## **2.8 Promotions and Transfers**

Employee selection for posted positions shall be based on individual merit and qualifications. All open positions are posted for a minimum of five workings days. ASI encourages its employees to apply for promotions to positions for which they are qualified.

Any employee who desires to transfer to another available position, which offers the same or lower salary, must first discuss this matter with his/her supervisor and comply with the required interview process. Transfers may be considered only if the employee has worked in his/her current position for 90 days and is fully qualified for the new position.

ASI employees who are applying for an open position shall go through the search process and shall be screened by a search committee, providing that they meet the minimum qualifications for the new position. An employee who receives a new position shall serve the required probation period for the position.

## **2.9 Rehired Employees**

If an employee leaves ASI and is later rehired, the employment status of the employee, including probationary period, vacation, and sick leave, shall start over again.

## **2.10 Temporary Assignments**

At times it may be necessary to fill a temporary position immediately in order to keep pace with productivity demand and staffing needs. The Executive Director is authorized to assign individuals to temporary positions for a period not to exceed one year, with the concurrence of the hiring manager. Temporary assignments fall into two categories: (1) temporary assumptions of additional duties, and (2) interim appointment to a temporary position. When additional duties are assumed for a period of 30 days or longer, the employee shall receive an appropriated compensation adjustment to the regular salary for the duration the assignment. Offers of temporary assignments must first be extended to existing staff. If no existing staff member meets the qualifications of the temporary position as determined by the Human Resource Office, the offer may be extended externally by the Executive Director.

## **2.11 Employment Offers**

The Executive Director shall issue a letter of offer of employment to the successful candidate. The newly hired employee is required to sign said letter in acceptance of the job offer and promptly take care of the items listed below in the Employee Orientation Section.

## **2.12 Pre-Employment Physical Examinations**

ASI reserves the right to require pre-employment physical examinations or screenings, as appropriate.

## **2.13 Employee Orientation**

Each new employee is scheduled for an orientation session in order to receive an introduction to ASI, its history, mission, operations, and personnel policies. During this session, employees are also informed of employee benefits and asked to complete new hire paperwork. The ASI Human Resource Office and supervisor will be responsible for completing the Non-Student Employee Orientation Checklist.

### New Hire Paperwork

The following forms must be completed and submitted to the Human Resources Office no later than three business days after commencing work:

- Original Application for Employment
- Personnel Action Form
- IRS W-4 Form
- INS I-9 Form

In addition, all employees should be provided with the following items in order to ensure that they receive adequate training and notification of corporate and departmental policies and procedures:

- ASI Personnel Policies and Procedures Manual
- ASI Illness and Injury Prevention Program
- Copies of any departmental training materials, including desk manuals, operations manuals, cash handling manuals, etc.
- Fulltime, non-student employees will receive a Benefit Orientation Package containing information on medical, dental and vision insurance, PERS retirement, COBRA and HIPPA laws

New employees are required to sign "Acknowledgement of Receipt" forms for the above items. The supervisor is responsible for scheduling time with the Human Resource Office to provide the new employee an opportunity to complete all required paperwork. Completion of forms is necessary to ensure that the employee will be paid accurately and on time.

## **2.14 Fall Orientation**

At the beginning of the fall semester, ASI holds a one-day training session, which all employees are required to attend. Attendance at the Fall Orientation is mandatory and only the Executive Director can grant excused absences.

Orientation provides employees with an opportunity to learn about the goals and objectives of the organization, review safety guidelines, and receive training in specialized areas, as well as current policies and procedures. This is also a time for employees to meet one another and develop and enhance job and leadership skills.

## **2.15 Probationary Periods**

ASI provides for a probationary period for non-management employees to allow supervisors to observe an employee's work performance and also to allow the employee to effectively adjust to the position and the people with whom the employee comes in contact. All non-management employees shall have probationary status for one year from the date of appointment. The probationary period excludes any prior employment with ASI in a temporary or interim basis. During the probationary period, the goal is for the employee to be evaluated, in writing, at least once every three months. A probationary employee may be terminated at any time during the probationary period.

On the basis of the prescribed salary increase formula in the performance instrument, the recommendation of the supervisor to the Executive Director, and availability of funds, the employee may be entitled to a merit increase within the given salary range at the end of the probationary period. Each employee is guaranteed an annual evaluation. However, the employee may be evaluated more frequently based on performance. An employee may be eligible for a merit increase annually, subject to performance review and availability of funds. Merit increases shall be earned until the employee has reached the top of the range. Merit increases for management employees are addressed in the MEP.

## **2.16 Immigration Law Compliance**

ASI is committed to full compliance with the Federal Immigration Laws. These laws require that all individuals pass an employment verification procedure. This procedure has been established by law and requires that every individual provide satisfactory evidence of his/her identity and legal authority to work in the United States no later than three business days after he/she begins work.

## **2.17 Employment of Relatives**

ASI desires to avoid situations in which actual or potential conflict of interest may exist. To implement this objective, the ASI shall attempt to avoid assignments that involve actual or potential conflicts of interest, as well as working relationships involving relatives or individuals with residential relationships that may potentially lead to complaints of favoritism, lack of objectivity, or employee morale and dissension problems.

In keeping with this policy, all relatives of employees (both natural and in-law) and individuals with whom employees reside shall not be eligible for employment with the ASI in any situation where potential problems of supervision, safety or security exist, or where personal relationships may create actual or potential conflict of interest, cause disruption or create a negative or unprofessional work environment.

If two employees become subject to the restrictions of this policy after they are hired, one or both of the employees must seek transfer or reassignment that eliminates the actual or potential conflict of interest as specified in this policy. ASI is not obligated to make a reassignment or transfer when no comparable position is available.

## **2.18 Non-Fraternization Policy**

ASI desires to avoid complaints of favoritism, possible claims of sexual harassment and the employee morale and dissension problems that can potentially result from certain other relationships between employees. Accordingly, all employees, both management and non-management, are strongly discouraged from fraternizing or becoming romantically involved with other employees when, in the opinion of ASI, their personal relationship may create a potential disruption, create a negative or unprofessional work environment, or present concerns regarding supervision, safety, security or morale. This policy extends to relationships between employees and volunteers or individuals engaged in student government. The Executive Director shall determine on a case-by-case basis any possible policy violations.

All employees should also remember that the company maintains a strict policy against unlawful harassment of any kind, including sexual harassment.

## 2.19 Employment Classifications

An employee of ASI shall also be classified into one of the following:

1. Probationary Employee: A newly hired Staff or Management employee is required to serve a one time "Probationary Period" of one year. The purpose of this probationary period is to allow the new employee the opportunity to demonstrate his/her ability to fulfill all of the duties and responsibilities of the new assignment. Every effort is made to evaluate probationary employees at least once in each three-month period served during the probationary year. The evaluation of a probationary employee consists of a written performance evaluation to provide feedback on development goals and progress toward attainment of regular status.

During this period, the employment relationship may be terminated at any time and for any reason. The employer's decision to terminate a probationary employee shall involve a recommendation from the immediate supervisor subject to approval by the ASI Executive Director.

ASI reserves the right to reinstate probationary status for an employee who has previously served his/her probation when that employee secures a substantially different assignment, reclassification or promotion to a significantly more responsible position.

2. Non-Student Employee: An employee who has adequately demonstrated his/her abilities and served the required probationary period shall be recommended for Non-Student Employee status by the immediate supervisor subject to approval by the ASI Executive Director.

Non-Student status does not imply a permanent employment opportunity with ASI. It does, however, indicate that the employee has the proven qualities required for the position.

3. Temporary Employee: Temporary employees are employees whose jobs are of limited duration arising out of special projects, abnormal work loads or emergencies. Employment beyond any initially stated period does not in any way imply or create a change in employment status. In addition, employees are also classified as either exempt or nonexempt for the purpose of overtime compensation. The temporary assignment may last for a specified length of time or "until further notice", not to exceed a maximum of one year.

Should a temporary assignment be converted to a regular position, then the new regular position shall be considered "open". This will require the necessary job posting and search process to be conducted. The temporary employee shall have the right to apply for the position through the established search process.

4. Student Employee: Student employees are hired on an hourly basis. Whenever possible, work hours are planned to coordinate with class schedule. All student employees must be enrolled in class at Cal Poly Pomona and must maintain a minimum grade point average of 2.00.

Student employees are considered part-time employees, and are not eligible for any ASI-sponsored discretionary benefits. Students are employed for the duration of the program or activity to which they are assigned. If future employment is desired, student employees must reapply.

5. Casual: Employee working on an on-call basis, as recommended by direct supervisor. This shift category may also encompass an Emergency Hire who is hired outside the usual search process to meet urgent ASI needs.

ASI reserves the right to appoint an employee from any of the 5 categories listed to an "acting" position to meet organizational needs, following the approval of written recommendation to the Executive Director.

Please remember that an employee's status as probationary, temporary, non-student or casual, will not in any way alter or otherwise affect application of the ASI's general policy of at-will employment.

## 2.20 Employment Status

An employee of ASI shall be classified into one of the following:

1. Full Time/Full Year: Employee working 40 hours per week, 12 months per year.
2. Full Time/Part Year: Employee working 40 hours/week, less than 12 months per year.
3. Part Time/Full Year: Employee working less than 40 hours/week, 12 months per year.
4. Part Time/Part Year: Employee working less than 40 hours/week, less than 12 months.

Please remember that an employee's status as full-time, part-time, full year or part year will not in any way alter or otherwise affect application of the ASI's general policy of at-will employment.

## 2.21 Compensation and Benefit Categories

An employee of ASI shall be further classified into one or more of the following:

1. Non-Exempt Employee: Nonexempt employees are entitled to receive overtime pay when they work overtime hours.
2. Exempt Employee: Exempt status pertains to management personnel who are also subject to the provisions of this Manual as well as the provisions detailed in the Management Employee Plan (MEP). Exempt employees are not entitled to receive overtime compensation. Exempt employees are salaried executive, administrative, and professional employees.
3. Salaried Employee: Salaried status refers to an employee who is compensated on a fixed monthly salary schedule and is generally entitled to the full benefits package offered by ASI.
4. Hourly Employee: Hourly status applies to an employee who is compensated on a fixed rate per hour worked.

An employee's status as exempt, nonexempt, salaried, hourly will not in any way alter or otherwise affect application of the ASI's general policy of at-will employment.

A volunteer is defined as a non-employee who works or assists as an unpaid volunteer in an ASI program or capacity to with no obligation to do so. A volunteer performs his/her services willingly, and without compensation or benefits, or the expectation of such.

## 2.22 Performance Evaluations

Performance evaluations are opportunities for ASI to give feedback to employees, to review an employee's progress and to address any development that may be required.

The goal is to evaluate non-student staff employees upon completion of 3, 6, 9 and 12 months of probationary service. Thereafter, all employees are evaluated annually in May. Employees who transfer to new jobs or change job classifications enter a new probationary period and will be evaluated accordingly. While a performance appraisal may occur annually, this does not prevent employees from discussing any questions they may have with their supervisor at an earlier date. Supervisors may likewise discuss observations of an employee's performance on an ongoing basis.

The purpose of formal appraisal by ASI is to evaluate past performance, communicate ways to maintain or improve performance, and discuss ways to increase an employee's value to ASI. There are many factors that are considered in an appraisal. The primary factors are quality and quantity of work, regular and prompt attendance, disciplinary record, team work, judgment and initiative, safety concerns, the ability to effectively handle current responsibilities, how well they are performing their assigned job duties and whether their performance should be

improved in any way. Employees are eligible for a merit increase annually on July 1, after successfully completing a 12-month probationary period.

For more details on Performance Evaluations see Appendix A.

### **2.23 Change of Personal Information**

If there is a change of address, phone number or name, the employee must complete a Personnel Action Form and submit it to the Human Resources Office.

### **2.24 Reorganization**

In the event of reorganization, the Executive Director shall have the option to recommend the reassignment of existing staff that meets the minimum qualifications, to job positions that are open. These recommendations on staff reassignment shall be submitted to the Personal Review Committee (PRC) and ASI Senate for approval.

### **2.25 Reduction in Force**

ASI has every desire to remain profitable and to maintain a stable and productive work force. However, if it determines that a reduction in its work force is warranted as a result of a reduction or change in business, reorganization, or other considerations, the following policy will be followed, subject to any exceptions found appropriate by ASI, at its sole discretion. Because circumstances leading to the need to implement a staff reduction may vary and at times be unpredictable, ASI must maintain total flexibility and reserve the right to deviate from this policy, as it deems appropriate.

#### Selection

If ASI determines that a reduction in force is warranted due to business necessity, it may implement the staff reduction within any one or more areas that it determines appropriate, such as on a company-wide basis or in one or more departments, work groups, or classifications. It may also involve a single position if ASI determines it appropriate. Once the scope of the staff reduction has been determined, employees will generally be laid off in the following order:

1. Temporary employees
2. On-Call or per diem employees
3. Employees who are in the probationary period
4. Part-time employees
5. Full and regular part-time employees

All personnel policies shall be followed, including ASI's equal opportunity policies and policies against unlawful discrimination. Although the order identified above is illustrative, it is only general and is not binding. For example, it is not necessary that all employees in any one or more of the categories set forth above be laid off before any employees in another category are laid off. ASI may determine that it may be necessary or appropriate to maintain employees in certain categories in order to promote efficiency or productivity. ASI must therefore reserve the right to deviate from the order specified above whenever it determines that circumstances warrant such action.

When selecting employees for staff reductions, the Executive Director, in conjunction with Human Resources and the department head of the affected department, will consider a variety of relevant factors, including prior performance, attitude, attendance, quality of work, the employer's needs, and the individual's length of service. Employees have the right to retreat (bump) to another position in the organization based on seniority. The order of retreat is determined by length of service, based on job type. Length of service is defined as the total time the employee has worked for ASI, without regard to any period during which the employee was on leave of absence. Once seniority is established, a determination is made by the ASI Executive Director in consultation with the department head that the employee's current and prior positions are a like match to which the employee could retreat. Laid-off employees who apply for employment within one year of their layoff are given priority during the hiring process, if their qualifications meet those of the vacant position.

### Lay-off Notification

An ASI employee that is to be laid off shall be notified in writing at least ten business days prior to the effective date.

### Leave of Absence

Employees who are selected for layoff and are on a leave of absence at the time will be converted to a layoff status on the effective date of the layoff. These employees will be subject to the same conditions and privileges as other employees who are laid off, subject to any limitations or requirements established by state and federal laws.

### Transfers

Employees who are selected for layoff may apply to transfer to any open position in the organization for which they are qualified. It is their responsibility to contact the Human Resources Office to identify any available openings. Applications for transfer will be reviewed by the supervisor for the department with the position opening, who will in turn submit a recommendation to the ASI Executive Director for approval.

## **2.26 Separation from Employment**

ASI does not provide severance pay to employees who terminate employment voluntarily or involuntarily. ASI however, reserves the right to provide exceptions to this policy when circumstances warrant such action. The Executive Director shall approve all severance pay exceptions, in consultation with the ASI Senate.

## **2.27 Retirement**

An employee who intends to retire shall notify his/her supervisor and the Human Resources Office at least three months prior to the planned retirement date to allow enough time for the completion of application documents and processing by Public Employees Retirement System (PERS). The minimum retirement age is 55, with at least five years of PERS credited service. Upon retirement, ASI contributes toward the health insurance premiums for employees and their dependents.

## **2.28 Termination**

The supervisor of the terminating employee is responsible for initiating the Exit Checklist and notifying the employee that the checkout procedures shall be completed before the final paycheck will be released. The Exit Checklist shall be forwarded to the Human Resources Office as soon as possible to facilitate the completion of the checkout procedures. The final paycheck may be adjusted for those obligations that have not been cleared. These obligations may include, but not be limited to: the reconciliation of outstanding petty cash or travel advances, the return of keys, parking permits, company clothing, name tags and other company property.

**Associated Students Incorporated  
Non-Student Employment Manual  
Section 3 Employee Rights and Responsibilities**

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**3.1 Business Ethics**

The successful business operation and reputation of ASI is built upon the principles of honesty, integrity, ethical conduct and respect. All employees are required to protect and uphold those traditions in all aspects of ASI's business operations and activities. Our reputation for integrity and excellence requires compliance with applicable laws and regulations.

In general, the use of good judgment, based on high ethical principles, shall guide you with respect to lines of acceptable conduct. Transactions with outside firms must be conducted within a framework established and directed by the ASI Senate. Business dealings with outside firms should not result in unusual gains for those firms or ASI employees. Unusual gain refers to bribes, product bonuses, special fringe benefits, unusual price breaks and other windfalls designed to ultimately benefit the employer, the employee or both. Promotional plans that could be interpreted to involve unusual gains require specific written approval from the Executive Director.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose, in writing, to the Executive Director immediately the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties. Employees are required to inform the Executive Director of any outside employment, if the second employer engages in business that competes with ASI.

Gifts and Entertainment

In order to maintain objectivity in our employee's actions and decisions, ASI discourages its employees from accepting gifts and gratuities from ASI suppliers, vendors, subcontractors, customers and visitors. Employees are allowed to accept occasional meals and/or entertainment, however acceptance of any extravagant meal or entertainment expenditures, or out of town expense paid trips, is considered inappropriate and should be declined. Offers of entertainment, hospitality, or business courtesies, no matter how innocent in appearance, may be considered a gift, gratuity or favor. These activities should involve no more than \$75 and should not have the appearance of impairing an employee's independence of judgment.

Proprietary Information

Information intended solely for ASI or customer purposes are valuable business assets and must be protected. Each employee is individually responsible for safeguarding such information. Included in this category, but not limited to, are such items as: trade secrets, technical and financial data, customer lists, competitor information, policies, procedures and manuals, letters, plans, drawings and computer programs, information on new development projects, marketing plans, rate and cost data and most personnel data.

Company Records

All ASI records and other essential data must be prepared accurately. Preparing a false or misleading report or record is considered a serious offense. Records containing personal data on employees are confidential. Company records are to be carefully safeguarded and kept current, relevant and accurate. They shall be disclosed only to authorized personnel having a "need to know" or pursuant to lawful process as approved by the ASI Executive Director.

Company Funds

Every employee who has control over ASI funds (e.g., accounts payable, capital expenditures, payroll, travel and entertainment, etc.) is accountable for such funds. When spending ASI money or personal money that shall be reimbursed, the employee involved shall make sure the expense is warranted and justifiable. Anyone approving or certifying the correctness of any voucher or bill shall have reasonable knowledge that the expenses and amounts involved are justifiable.

### Company Property

Company property shall not be sold, used for personal benefit, loaned, borrowed, given away, damaged, destroyed or otherwise disposed of regardless of condition or value, without proper authorization.

### **3.2 Conflict of Interest Policy**

Each employee is required to exercise his/her powers in good faith and with a view of the interest of the corporation, therefore subordinating individual and private interests to his/her duty with ASI, whenever the two parties conflict.

Employment at ASI carries with it a responsibility to be constantly aware of the importance of ethical conduct. Each employee shall refrain from taking part in or exerting influence in a transaction in which his/her own interests may conflict with the best interest of ASI.

### **3.3 Attendance Policy**

ASI counts on each employee's attendance and expects regular attendance during work hours. Each employee is expected to report promptly at the beginning of his/her shift and continue to work until the end of the work shift. The appropriate rest and lunch breaks are required to be observed. Excessive absenteeism and tardiness, including return from rest periods and lunch breaks are prohibited and may result in disciplinary action, possibly including termination.

Excessive absenteeism occurs when the number of absences in a 12-month period exceeds 12 days, not counting scheduled vacation, jury duty and other approved time off. Excessive tardiness occurs when the employee is late more than 3 times in any 30-day period. Exceptions to this policy may be granted to employees who absenteeism or tardiness is a result of hospitalization or severe illness or injury.

#### Attendance Reporting

The Monthly Attendance Report Form shall be completed by all salaried employees indicating time used for vacation, personal holiday, sick leave, jury duty or leaves of absence. Request for time off must be made prior to using the time and supervisory approval is required. Monthly Attendance Reports, signed by the employee and supervisor, must be turned in to the Human Resources Office by the 10<sup>th</sup> of each month for the previous month.

Temporary and part-time employees record their attendance on TimeCentre, a web-based attendance system. Signed TimeCentre time sheets must be submitted to the Human Resource Office no later than two (2) working days after completion of the pay period for which the hours were recorded.

### **3.4 Harassment Policy**

ASI is committed to providing a work environment that is free of sexual harassment as well as other unlawful harassment based on such factors as race, color, religion, sex, age, national origin, sexual orientation, physical or mental disability, as well as any other categories protected by applicable law. In keeping with this commitment, ASI maintains a strict policy prohibiting unlawful harassment of employees, vendors, visitors or customers by managers, supervisors, employees, vendors or other people within ASI. The purpose of this policy is to: (1) familiarize ASI employees with the definition of unlawful harassment and the forms it can take; (2) confirm that unlawful harassment is inconsistent with the standards of conduct expected and required of ASI employees; (3) make clear that employees who engage in unlawful harassment are subject to possible disciplinary actions which may include discharge; and (4) protect ASI employees from unlawful harassment by other employees of ASI and persons associated with ASI (including vendors and visitors) to the fullest extent possible.

#### Definition of Harassment

Harassment is defined as any verbal or physical conduct that:

- Has the effect of creating an intimidating, hostile, or offensive work environment;
- Has the effect of unreasonable interference with the individual's work performance; or
- Otherwise interferes with an employee's employment opportunities.

An employee who believes he/she has been the subject of harassment or who has knowledge of an act of harassment has the responsibility to report said act immediately to his/her manager, the Executive Director or Human Resources Office.

#### Non-Retaliation Policy

Retaliation by an ASI employee against any individual who makes a complaint of unlawful harassment or otherwise invokes this policy is strictly prohibited. Similarly, any person who participates or cooperates in any manner in an investigation or any aspect of the process described herein shall not be retaliated against. Retaliation is itself a violation of this policy and is a serious offense. Complaints regarding allegations of reprisal should be immediately brought to the attention of the Executive Director or the Human Resources Office.

An employee who believes he/she has been the subject of retaliation or has knowledge of an act of retaliation has the responsibility to report said act immediately to her/his manager, the Executive Director or the Human Resources Office.

### **3.5 Discipline and Termination**

The corporation maintains a progressive discipline procedure to ensure a fair method of discipline for employees. The progressive discipline system is intended to give employees advance notice, whenever possible, of problems with their conduct or performance in order to provide them an opportunity to correct any problems. Normally, progressive discipline may involve verbal counseling, one or more written warnings and suspension before an employee is terminated. However, exceptions or deviations from the normal procedure may occur whenever ASI deems that circumstances warrant that one or more steps in the process be skipped. Accordingly, circumstances may sometimes warrant immediate termination. It should be remembered that employment is at the mutual consent of the employee and ASI. Accordingly, either the employee or ASI can terminate the employment relationship at will.

### **3.6 General Rules of Conduct**

To ensure orderly operation and to promote efficiency, productivity and cooperation among employees, ASI expects employees to follow rules of conduct that will protect the interest and safety of all employees and ASI.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace, the following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

1. Theft or unauthorized removal of property from the corporation, fellow employees, customers or any person on the employer's property.
2. Obtaining employment based on false or misleading information.
3. Altering, falsifying or destroying any timekeeping record; punching another employee's time card; or allowing another employee to punch one's time card (where applicable).
4. Falsifying information or making material omissions in any documents or records.
5. Possession, distribution, sale, transfer, or use of alcoholic beverages or illegal drugs in the workplace, on company property, while on duty, appearing for duty or working under the influence of alcohol and/or drugs or while operating employer-owned vehicles or equipment.
6. Actual or threatened physical violence towards another employee, customer or visitor.
7. Boisterous or disruptive activity in the workplace.
8. Misusing, destroying or damaging property of the corporation, a fellow employee, a customer or a visitor.
9. Insubordination, including improper conduct toward a supervisor or refusal to perform tasks assigned by a supervisor in the appropriate manner.

10. Violating safety or health policies and/or practices or engaging in conduct that creates a safety or health hazard.
11. Smoking in prohibited areas.
12. Harassment, especially sexual, racial or other harassment prohibited by law, to include behavior or language offensive to other employees.
13. Possession of dangerous or unauthorized materials, such as explosives, firearms, weapons, or any other hazardous or dangerous devices on the employer's property.
14. Absence for three consecutive work days without authorization from the appropriate supervisor; failure to return from an authorized leave of absence on the date such a leave ends.
15. Frequent or excessive tardiness or absences from work, or an employee's work area.
16. Unauthorized use of telephone, mail systems, computer systems, or other employer owned equipment.
17. Release of confidential information about the corporation, its customers or employees.
18. Unsatisfactory job performance.
19. Dishonesty; misuse of funds or property.
20. Immoral conduct including conviction of a felony or conviction of any misdemeanor involving moral turpitude.
21. Discrimination prohibited by law.
22. Carelessness or negligence when performing duties.
23. Incompetence.
24. Sleeping on duty.
25. Violation of any ASI policy.

The Executive Director upon the recommendation of the supervisor shall initiate notice of dismissal, demotion, or suspension.

This statement of prohibited conduct does not alter or limit ASI's policy of employment at will. Please remember employment with ASI is at the mutual consent of ASI and the employee, and either party may terminated that relationship at any time, with or without cause, and with or without advance notice. Although the employment relationship may be terminated at will by ASI or the employee, with or without cause or notice and without following formal systems of discipline or warning, ASI may exercise its discretion to use forms of discipline that are less severe than termination in some cases. These types of counseling steps may be taken in connection with a particular situation. However, no formal steps of counseling or any type of discipline is required before ASI may impose any form of discipline, including termination.

### **3.7 Appearance and Dress**

While on the job, employees are representatives of ASI and shall follow dress and personal grooming standards that are generally acceptable for student/staff contact in a university setting. To avoid the necessity of implementing a strict dress code, the ASI simply asks employees to exercise common sense in dressing conservatively, in good taste and according to the requirements of their respective positions.

### Company Clothing

All ASI non-student employees are expected to wear their ASI-issued company clothing on Thursdays and other designated days. ASI management will be allowed flexibility to dress appropriately on these days based on their work schedule.

### **3.8 Name Tags**

At the time of hire, each employee is given an ASI nametag, which must be worn at all times to identify individuals as employees of the corporation. Employees may be required to pay a replacement charge for lost nametags.

### **3.9 Restricted Areas**

For security purposes, access has been limited to department staff and non-student management staff only for the following cash handling areas: Vault Cashier's Office, Business Services Office, Games Room Etc, Back Room/Counter Area, HVAC Room, Custodial Supply Closets, Auto Visual Equipment Room, and the Lost and Found. Employees from other ASI departments must obtain permission prior to entering restricted areas.

### **3.10 Solicitation & Selling of Goods**

Solicitation activities and selling of goods shall not be normally allowed. Collections for presents, flowers, etc. may be considered in exceptional cases, with the approval of the area supervisor.

### **3.11 Personal Use of Offices, Supplies and Equipment**

ASI office areas and property are to be used for work and business purposes. Use of ASI supplies and equipment for personal use is not permitted. Supplies such as envelopes, pens and paper are not for employees' personal use. Personal use of equipment such as photocopiers is not permitted without prior authorization from an employee's immediate supervisor. Equipment is often expensive and may be difficult to replace. The inappropriate, careless, negligent, destructive or unsafe use or operation of equipment can result in disciplinary action up to and including termination.

Company assets and fixtures shall remain within the office premises as a general policy. The removal of these assets from the premises may only be done upon approval of the supervisor and the Executive Director with the appropriate checkout procedures. ASI may allow equipment to be taken home for ASI work projects or on ASI-related trips, with the completion of the appropriate request form and the Executive Director's approval. The disposal of assets requires the approval of the Executive Director.

### **3.12 Personal Visitors**

Employees are not allowed to have personal guests, relatives and visitors at their work areas on other than rare occasions of short duration. Visitors whose visits are longer than 5 minutes in duration shall be asked to leave. Continued violation of this policy will result in disciplinary action. Off-duty employees are considered visitors and are not allowed behind the counters or workstations.

### **3.13 Dependent Children**

ASI is committed to providing an inclusive work environment that is conducive to learning, while ensuring the personal safety of all members of the campus community. For risk management purposes, it is necessary to limit access to ASI-operated and/or ASI-staffed facilities by dependent children who are not currently enrolled as Cal Poly Pomona students. Dependent children are defined as under the age of 18 years old or not emancipated from the care of parents/legal guardians.

This policy will be in effect during the employee's designated work period. Dependent children of ASI staff are not allowed to be cared for by the employee (parent or legal guardian) or any other ASI employee at their work site during their designated work period, unless the criteria described below is met.

During the employee's work shift, dependent children in ASI-operated or ASI-Staffed facilities shall be:

- Participating in a supervised ASI-sponsored or authorized program/event,
- Under the direct supervision of the parent/legal guardian while attending-an ASI sponsored or authorized program/event, and
- Previously communicated to and approved by an ASI director.

The provisions of the ASI Facilities Use Manual shall apply outside the work period for ASI employees with dependent children in ASI-operated or ASI-staffed facilities.

### **3.14 E-Mail Communications**

ASI will utilize the employee's Cal Poly Pomona issued e-mail address as the primary vehicle of official communication between ASI and the employee. As a result, ASI recommends that all employees check their e-mail accounts daily

If they choose, employees can redirect their Cal Poly Pomona email address to another account. However, ASI will not be responsible for handling of email by outside vendors.

Employees are responsible for the consequences of not reading, in a timely fashion. ASI-related communications sent to their Cal Poly Pomona e-mail account. Employees have the responsibility to recognize that certain communications may be time-critical. Excuses such as not checking e-mail on time, errors in forwarding e-mail, e-mail returned due to undeliverable address, undeliverable because the mailbox is full, etc. are not acceptable reasons for missing official ASI e-mail correspondence.

### **3.15 Use of Cell Phones, Pagers, PDAs, and Related Equipment**

ASI promotes the safe and efficient use of cell phones, pagers, personal data assistants (PDAs) other communications/audible electronic equipment and remote wireless access. Thus, employees are prohibited from using cell phones, pagers, PDAs other communication/audible electronic equipment and remote wireless access, while operating a motor vehicle on ASI business. Employees are expected to pull safely off the road to make or receive calls or check messages/information. Employees will be required to sign a written acknowledgment that such equipment is not to be used while operation motor vehicles.

### **3.16 Driving Policy**

ASI shall institute and comply with the employee driving standards as set forth in the California State University Risk Management Authority (CSURMA) Auxiliary Group Purchase Insurance Program (AGPIP). All non-occasional drivers, defined as an employee whose job requires that he or she drive more than once a month or whose primary duty is driving related, will be enrolled in the Department of Vehicles Pull Notice Program.

If an ASI employee is permitted to use a personal vehicle in the course and scope of auxiliary organization employment, the employee shall provide proof of personal automobile liability insurance with coverage and limits that meet California's minimum requirements.

### **3.17 Personal Communications**

Employees are expected to keep all personal phone calls to ASI extensions or cellular phones and other communication devices (e-mail, instant messaging, text messaging) to a minimum. Friends and relatives shall be discouraged from calling during work hours unless there is an emergency. Under no circumstances shall an employee make or charge a long distance call to the ASI unless it is work related and approved by the employee's supervisor. Failure to comply will

result in the employee being required to reimburse ASI for the total cost of all calls, and further disciplinary action, up to and including termination.

### **3.18 2-Way Radio Systems**

The radio system is to be used for ASI business only. Verbal or physical misuse of the radio devices shall not be tolerated. Such misuse includes holding the radio by the antenna or making inappropriate remarks. Employees are cautioned to exercise an additional level of discretion and shall show judgment when communicating via these systems. Communication on radio systems is subject to the same policies regarding harassment and discrimination, as are any other workplace communications. Offensive, vulgar, harassing or discriminatory content in such communication shall not be tolerated.

### **3.19 Confidentiality and Privacy**

While ASI respects the employees' right of privacy, it upholds the employer's legitimate right to know and access information.

ASI reserves the absolute right to search for any legitimate, nondiscriminatory business reason, an employee's desk, locker and personal work area at any time. ASI also reserves the right to subject personal articles to a search for legitimate business reasons.

All communications used by employees, including E-mail and Voice Mail as well as employees' personnel files are considered ASI property and shall therefore be accessible to ASI.

### **3.20 Personnel Records**

The Human Resources Office shall maintain a confidential personnel file for each employee of ASI. Access to these files shall be limited to the employee, his/her supervisors/managers, the Executive Director, human resources, personnel and any other person designated in writing by the employees.

#### Content

The contents and composition of each confidential personnel file shall include:

1. Employment application and resume submitted by the employee.
2. All documents certifying appointments, offers of employment, reclassifications, promotions, demotions, suspensions, terminations, or any other change in status.
3. Original job description upon hire and reclassified descriptions assigned to date.
4. All performance evaluations and goals & objectives planning materials.
5. All written disciplinary and pre-disciplinary actions or documents.
6. Documents/letters submitted by the employee in response to items 4 & 5 above.
7. Commendations and merit recognition documents.
8. Personal/identification data, emergency information, and supporting documentation.
9. Certified copies of licenses, diplomas, permits, certificates, or any other documents relevant to the employee's assignment or classification.
10. Payroll data including information on benefits, insurance and beneficiaries.

11. Information request forms & employee affidavits authorizing information release.
12. Conflict of Interest statements.
13. Additional materials deemed appropriate by the hiring/appointing authority.
14. Customer feedback and complaint letters.

#### Reviewing File

The policy on personnel file records review is as follows:

1. An ASI employee may request to review the contents of his/her personnel file. Such a request shall be made in writing and honored during regular business hours within a reasonable period of time.
2. An employee may submit relevant documentation for inclusion into the file. The decision to include documents not listed above shall reside with the Executive Director or ASI Senate.
3. An employee may submit a written request to allow another person to review his/her file. Such requests become a permanent addition to the file. An employee may also request copies of employee signed documents from the file at appropriate copying costs.
4. An employee's direct and indirect supervisors and managers may request to review his/her file and submit documents requested for inclusion in the file.

### **3.21 Information Release Policy**

Associated Students, Incorporated is extremely concerned about the accuracy of information provided to individuals outside of the corporation regarding current or former employees. Consequently, ASI will not disclose any personal or confidential information unless disclosure of the information is with prior written consent of the employee to whom the record pertains. Such information includes, but is not limited to, credit and employment verifications, employment recommendations, work schedules or class schedules. Responses to inquiries will be limited to factual information that can be substantiated by ASI's records.

ASI cooperates and complies fully with legal, state and/or federal request for employee information, such as, subpoenas, earning assignment orders, garnishment and court orders. Any information requested will be given to these entities without an employee's authorization.

### **3.22 Reference Checks**

ASI prohibits the dissemination of employee information by any one other than Human Resources. Employees should not provide any information regarding current or former employees or volunteers to any outside agency, organization, institution or person who is not employed by ASI.

An employee who receives a request for any information concerning a past or present employee or volunteer of the company should refer the person making the request to Human Resources without engaging in any "on or off the record" conversation about the individual.

ASI verifications are limited to confirming dates of employment, wage rates and position(s) held. Additional employment data will not be released without a written authorization and release signed by the employee who is the subject of the inquiry.

Employees, supervisors and managers are prohibited from giving references on ASI letterhead, without prior approval from the Executive Director or the Human Resources Office. Copies of all references shall be kept in the employee's file or in the student leader's administrative file.

Strict observance of this policy is required. Any violation of this policy may result in disciplinary action up to and including possible termination.

### **3.23 Media, Press Release and Public Relations**

Only elected student officers and directors designated by the Executive Director are authorized to speak on the behalf of ASI. If the media approaches an employee, the appropriate action is to refer the media official to the Associate Director of Marketing and Programs. Furthermore it is the sole responsibility of ASI elected officers and the Executive Director to comment on Senate action.

### **3.24 Technology Policy**

Voice mail, electronic mail (e-mail), Netscape (web sites) and computer programs and software systems are maintained by Associated Students, Incorporated in order to facilitate company operations and business. Therefore, all messages and computer data sent, received, composed and/or stored on these systems are property of the company. Employees should be aware that even when a message has been erased, it still may be possible to retrieve it from a backup system.

Under certain conditions, now and even more so in the future, employees will need to communicate with clients and other external users via one of the electronic media or devices described above. Employees are cautioned to exercise an additional level of discretion and should use judgment when communicating with third parties via these systems.

While normally ASI will restrict review of employee e-mail files to appropriated investigations, ASI reserves the right to review any and all data at any time on any and all systems. ASI reserves the right to access and disclose the contents of any electronic communication of its employees and other authorized users, but will do so only when it has a legitimate business need and after authorization from the ASI Executive Director. The contents of electronic communication, properly obtained for legitimate business purposes, may be disclosed without permission of the employee. The log usage data for the system may be routinely checked for management purposes.

The existence of a password on either system is not intended to indicate that messages shall remain private. Passwords can be changed by ASI, with or without prior notification.

ASI strives to maintain a workplace free of harassment and sensitive to the diversity of its employees. Therefore, messages on voice mail and e-mail systems are subject to the same policies regarding harassment and discrimination as are any other workplace communications. Offensive, harassing or discriminatory content in such messages will not be tolerated.

ASI prohibits the use of computers and the e-mail system in ways that are disruptive, offensive to others or harmful to morale. For, example, the display or transmission of sexually explicit images, messages and cartoons is not allowed. Other misuses include, but are not limited to: ethnic slurs, racial comments, off color jokes or anything that may be construed as harassment or showing disrespect for others. E-mail may not be used to solicit others for commercial ventures, religious or political causes, non-ASI organizations or other non-business matters.

ASI purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, ASI does not have the right to reproduce such software for use on more than one computer. Employees may only use software on local area networks or on multiple machines according to the software license agreement. ASI prohibits the illegal duplication of software and its related documents. Due to the proliferation of computer viruses, as well as software copyright concerns, employees are prohibited from installing personal software on ASI computers. Similarly, employees are prohibited from copying and installing ASI software on personal or other outside computers.

Voice mail, e-mail, web sites, computer files and programs are to be accessed only by employees of ASI and authorized University employees. Good judgment should be exercised when using these systems. Unauthorized review, duplication, dissemination, removal, damage or alteration of files, passwords, computer systems or programs or improper use of information obtained by authorized or unauthorized means, may be grounds for disciplinary actions, up to and including immediate termination.

### Guidelines for Use

The following are guidelines concerning the appropriate use of voice mail, e-mail and computer systems:

- Since voice-mail and e-mail messages, as well as other computer-stored data, are considered business records and can be subpoenaed, nothing should be included in a voice-mail or e-mail message that you would not consider putting in written format.
- Employees should delete unwanted voice-mail and e-mail messages as soon as practical. E-mail and voice-mail messages can be electronically retrieved, even after deletion.
- E-mail and voice-mail messages should be reviewed and responded to on a daily basis. Voice-mail's extended message feature should be used for long term absences.
- When employees are not using the computer or are absent from their desk for extended periods of time, employees should log off of e-mail and Internet services.
- Employees should exercise good judgment in the use of e-mail and voice-mail distribution lists. Information should be divulged on as needed bases.

Employees may not use voice mail, e-mail, and computer systems for the following purposes:

- Any illegal, discriminatory, threatening, harassing, abusive or offensive comments.
- Anything in conjunction with an employee's outside business endeavors or sales of any product or outside service.
- Messages related to political and religious issues.
- Messages or other communications violating ASI policy or contrary to supervisory instructions.
- Personal announcements or other non-business related communications.
- Playing computer games.
- Accessing or downloading non-job-related materials from network services.

### **3.25 Grievance Procedure**

The ASI grievance procedure is designed to provide non-student employees with a formal procedure for the resolution of problems arising in the course of their employment in a fair and orderly manner. Probationary employees shall not be covered by ASI's grievance.

For more details on the ASI Grievance procedure see Appendix B.

**Associated Students Incorporated  
 Non-Student Employment Manual  
 Section 4 Holidays, Vacations, and Leaves**

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**4.1 Holidays**

Employees are entitled to observe the paid holidays listed below and any other day designated by the Governor as a holiday:

New Years Day	Marin Luther King, Jr. Day
Lincoln's Birthday	Washington's Birthday
Cesar Chavez Day	Memorial Day
Fourth of July	Labor Day
Admissions Day	Columbus Day
Veterans Day	Thanksgiving Day
Christmas Day	

Salaried employees shall receive holiday pay for a rescheduled holiday if they were employed on the date of the original holiday.

Part-time, non-student employees shall receive prorated holiday pay if the holiday falls on his/her regular scheduled shift. They will receive prorated holiday pay for a rescheduled holiday if they were employed on the date of the original holiday.

**4.2 Personal Holiday**

Full-time employees shall receive eight hours Personal Holiday (PH) credit per calendar year. Part-time employees shall receive Personal Holiday credit on a pro-rata basis. The use of Personal Holiday credit requires the same advance approval from the supervisor, as vacation leave. An employee is required to use the Personal Holiday at one time and not on an hourly or incremental basis. Personal Holiday must be used in the year it is received. Unused Personal Holiday credit will be paid at termination.

**4.3 Vacations**

A non-student employee is entitled to accrue vacation benefits. Eligibility begins after one month of service (11 working days). A non-exempt full-time employee shall accrue vacation according to the schedule shown below. Part-time employees shall accrue vacation on a pro-rata basis. Vacation accrual for exempt employees is addressed in the MEP.

<u>Length Of Service</u>	<u>Hours Per Month</u>	<u>Days Per Year</u>
1-36 months (3 years)	6 2/3	10 days
37-72 months (6 years)	10	15 days
73-120 months (10 years)	11 1/3	17 days
121-180 months (15 years)	12 2/3	19 days
181-240 months (20 years)	14	21 days
241-300 months (25 years)	15 1/3	23 days
300 + months (25+ years)	16	24 days

Non-exempt employees, with ten years or less of service, may carry over a maximum of 272 hours in accrued vacation at the end of a calendar year. A non-exempt employee with more than ten years of service shall carry over a maximum of 384 hours. An exempt employee with less than 10 years of service shall carry over up to 384 hours while an exempt employee with 10 years of more of service shall carry over up to 440 hours. Vacation time is taken at the discretion of the supervisor, and must be approved at least 24 hours in advance. Unused vacation leave shall be paid upon termination.

#### **4.4 Sick Leave**

Sick leave is earned after the 11th working day of the month. Each full-time employee shall be allowed one day (8 hours) of credit for sick leave per month with pay. Part-time employees shall be allowed the fractional part of one-day (8 hours) of credit for sick leave on a pro-rata basis. Credit for such leave can be accrued indefinitely by full time and part time employees. Terminating employees shall not receive compensation for unused sick leave. Sick leave shall not be used until it has been earned and shall be used in quarter hour increments. Accumulated sick leave shall be used for medical appointments or any of the following circumstances:

##### Pregnancy or childbirth

A physician's verification of disability shall be required for the use of earned sick leave during pregnancy & after childbirth.

##### Personal illness or injury

The supervisor shall be notified no later than the first hour of the work shift, with an estimated date or time of return.

##### On the job injury or illness

Accumulated sick leave credits, shall be used in coordination with workers' compensation and long term disability benefits.

##### Immediate family member illness or injury

Immediate family is defined as a spouse, parent, spouse's parent, grandparent, spouse's grandparent, child, grandchild, son-in-law, daughter-in-law, brother, sister, as well as a relative or significant other living in the immediate household of the employee.

##### Quarantine for exposure to contagious disease

A doctor's statement is required.

##### Bereavement

Accumulated sick leave credits may be used for the death of immediate family, with a maximum of five days for each instance.

Sick leave is available for employees to use when they are sick. The improper use of sick leave privileges shall not be condoned. Sick leave is a contingent benefit, not a right. Employees who request sick leave for more than three consecutive days may be required to submit a doctor's excuses before returning to work. The Human Resources Office or an employee's supervisors may at anytime, with or without cause, request a doctor's excuse prior to approving sick leave benefits.

#### **4.5 Bereavement**

For each death in the immediate family, a full-time employee shall be granted two (2) days leave with pay. If such a death requires the employee to travel over five hundred (500) miles from his/her home, such leave shall be granted for three (3) days, upon request. An additional five (5) days of sick leave per occasion may be used. Beyond this, additional vacation time may be used, with proper authorization from the immediate supervisor.

Immediate family is defined as a spouse, parent, spouse's parent, grandparent, spouse's grandparent, child, grandchild, son-in-law, daughter-in-law, brother, sister, as well as a relative or significant other living in the immediate household of the employee.

#### **4.6 Jury Duty/Subpoenaed Witness**

Full-time and part-time employees shall be granted a leave of absence for this purpose provided adequate advance notice is given. Evidence of jury duty attendance and the leave of absence form shall be submitted to the employee's supervisor. Payment from the courts, with the exception of travel reimbursement, shall be submitted to ASI. Hourly paid employees shall not be paid while on jury or witness duty. Please contact the Human Resources Office to request a letter to the court.

#### **4.7 Leave to Vote**

An employee, who is determined by his/her immediate supervisor to otherwise be unable to vote outside of his/her regular working hours, shall be granted up to two (2) hours of work time without loss of pay to vote at a general, direct primary, or presidential campaign election. The employee shall be required to request such leave time from his/her supervisor, prior to the Election Day.

#### **4.8 Religious Leave**

An employee may request time off for days that their faith designates for special observances. The supervisor shall approve such time off in advance. An employee shall request use of vacation leave or take the time off without pay.

#### **4.9 Military/Reserve Duty Leave**

Military or Reserve Duty leave is granted as provided for in the military and veterans' codes. ASI complies with all requirements set forth in the Uniformed Service Employment and Re-Employment Rights Act of 1944 (USERRA). A salaried employee shall receive regular salary for up to, but not to exceed thirty calendar days in a fiscal year. The employee shall provide a copy of the military/reserve orders, prior to the granting of the leave and verification that the active duty was served.

#### **4.10 Military Spouse Leave**

Military Spouse Leave is available to an employee who works 20 or more hours a week and has a spouse active in the United States Armed Forces (Army, Navy, Air Force, Marines, Coast Guard, National Guard or Army Reserve and is deployed during a period of military conflict. Employees must request leave within two business days of receiving official notice that their spouse will be on leave from deployment. Leave may last up to 10 days. Employees may use vacation accrual or take unpaid leave.

#### **4.11 Emergency Duty and Training**

Leaves of absence are provided for volunteer firefighters and other emergency rescue personnel required to perform emergency duty. Volunteer firefighters may take leave, up to fourteen days (14) per year to engage in fire or law enforcement training.

Complies with legal requirements. (Labor Code Section 230.3 & 230.4)

#### **4.12 Alcohol and Drug Rehabilitation Leave**

ASI wishes to assist employees who recognize that they have a problem with alcohol or drugs that may interfere with their ability to perform their job in a satisfactory manner. Employees who have a problem with alcohol or drugs and who decide to enroll voluntarily in a rehabilitation program shall be given time off to participate a rehabilitation program unless it would result in an undue hardship to provide the time off.

Complies with legal requirements. (Labor Code Sections 1025 – 1028)

#### **4.13 Literacy Education Programs**

ASI wishes to assist employees who require time off to attend an adult literacy education program. Any employee who needs time off to attend such a program should inform the Human Resources Office and obtain approval from his/her manager/ASI Executive Director in cases where the work schedule is affected. ASI shall attempt to make reasonable accommodations for the employee.

Complies with legal requirements. (Labor Code Sections 1040 – 1044)

#### **4.14 Victims of Domestic Violence/Sexual Assault**

An employee who is victim of domestic violence or sexual assault is allowed to take leave time to help ensure his/her health, safety, or welfare or that of his/her child(ren). This leave shall be considered under the Family Leave and Medical Act and cannot exceed the unpaid leave time allowed under the federal Family Leave and Medical Act. This leave shall be in compliance with the guidelines of the Family Leave and Medical Act.

(Complies with legal requirements Labor Code Section 230 & 230.1 AB 2195 amends Labor Codes 230 & 230.1)

#### **4.15 Time Off for Victims and Family Members of Domestic Violence**

An employee who is the victim of a violent or serious felony as defined by the Penal Code, or an immediate family member of such victims, the domestic partners of such victims or the children of domestic partners of victims is allowed to take leave time to attend judicial proceedings related to the crime. It may be paid out of the employee's accrued vacation or sick leave or the employee may request unpaid leave.

The employee must provide a copy of the notice of each scheduled judicial proceeding, unless advance notice is not feasible. When advance notice is not provided, the employee must provide documentation evidencing the judicial proceeding within a reasonable time from (1) the court or government agency; (2) the district attorney or prosecution attorney's office; or (3) the victim/witness office that is advocating on behalf of the victim. Records pertaining to the absence must be kept confidential.

#### **4.16 Time Off to Participate in Activities of Child's School**

Under certain circumstances, eligible employees may be entitled to take leave time to participate in activities of their child's school. In order to be eligible for time off under this policy, an employee must be the parent, guardian, or grandparent of a child who is in kindergarten or grades one to twelve, or attending a licensed day care facility. In addition, the employee must provide reasonable notice of the planned absence to their immediate supervisor before taking time off. The employee may not take more than 40 hours off for this purpose in any single year or more than eight hours off in any calendar month of the school year.

An employee who is the parent or guardian of a child who has been suspended from school shall be allowed time off if requested to appear at the school in connection with that suspension. The time may be paid or unpaid depending upon the circumstance of the leave request. The employee must give reasonable notice to his/her supervisor of the request.

Complies with legal requirements. (Labor Code Sections 230.1 & 230.7)

#### **4.17 Unpaid Personal Leave**

After an employee has completed at least six months of employment and exhausted all vacation leave, an unpaid personal leave of absence (non-medical or non-work related) for a specified period of time that is not longer than 30 days may be granted, at the Executive Director's discretion. Requests for an unpaid personal leave of absence must be presented in writing first to the director of the department at least 30 days in advance, whenever possible. The request will be considered on the basis of ASI's staffing requirements, the reasons for the leave, as well as the employee's performance and attendance record.

Employees on an unpaid personal leave of absence do not accrue benefits, including holiday pay. Vacation and sick leave will begin accruing upon the employee's return to work.

ASI will not pay insurance premiums for the employee's benefits while he/she is on an unpaid personal leave of absence. Should the employee desire to maintain insurance coverage while on personal leave of absence, the employee will have the option of continuing insurance coverage by paying the monthly insurance premiums.

Before the employee returns to work, the supervisor should be notified by the employee when he/she is ready to return to work at least two weeks before the expiration of his/her leave. If the employee is not ready to return to work at the end of the approved personal leave period, ASI cannot guarantee reemployment to the employee.

The following will be deemed a voluntary resignation while you are on a personal leave of absence:

1. Failure to advise ASI of your availability to work
2. Application for unemployment benefits
3. Obtaining another position
4. Failure to return to work, based on employee notification, or
5. Continued absence from work beyond the time approved by ASI

#### **4.18 Unauthorized Leave**

An unauthorized absence for three consecutive working days is an automatic resignation from the ASI, as of the last day on which the employee worked.

#### **4.19 Family and Medical Leave Policy**

Under the Federal Family and Medical Leave Act (FMLA), eligible employees are entitled to take medical leave and family care leave up to a combined total of 12 weeks in any 12-month period. ASI calculates the 12-month period on a forward rolling basis: the period is measured forward from the date employee's first FML leave begins.

For more information on Family and Medical Leave see Appendix C.

#### **4.20 California Family Care Leave (CFRA)**

California Family Care Leave time, up to twelve weeks, is permitted for the birth of the employee's child, placement of a child with the employee for adoption or foster care, to care for the employee's spouse, child or parent who has a serious health condition, or for a serious health condition that makes the employee unable to perform his/her job.

Complies with legal requirements. (29 U.S.C. 2601 et seq; Labor Code Section 12945.2)

#### **4.21 Pregnancy Disability Leave**

All employees are eligible to take a leave of absence, up to four months, for their own disability caused by pregnancy, childbirth or related medical conditions. Complies with legal requirements. (Gov't Code Section 12945)

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Section 5 Compensation**

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**5.1 Wages and Salaries**

Wages and salaries for non-exempt employees are based on a salary range. Salary schedules for exempt employees are addressed in the MEP. Salaries for acting positions shall be commensurate with the responsibilities of the position.

Merit increases for non-exempt employees shall be awarded in conjunction with performance reviews, anniversary dates, availability of funds and the ASI Executive Director's approval. Merit increases for exempt employees are addressed in the MEP.

Cost of living increases (COLA's) are approved by the ASI Senate and University President and are contingent upon availability of funds through the annual budget process.

**5.2 Pay Procedures**

It is the policy of ASI to pay employees timely. Salaried employees are paid from the 26<sup>th</sup> of a month through the 10<sup>th</sup> of the following month and from the 11<sup>th</sup> through 25<sup>th</sup> of the month.

An hourly employee's pay period is the 1<sup>st</sup> of the month through the 15<sup>th</sup>, and the 16<sup>th</sup> of the month through the last day of the month.

Paydays shall be the 10<sup>th</sup> and the 25<sup>th</sup> of the month. If payday falls on a non-working day, the payday shall be on the working day immediately prior to the payday scheduled.

Direct deposit of paychecks is available. See the Human Resource Office for information and enrollment forms.

Paychecks shall be picked up at the Business Office in the Bronco Student Center between 8:30 a.m. and 4:30 p.m. on the designated payday. Written authorization to the Business Services Office is required when an employee requests mailing or pick-up of his/her paycheck by another person. Employees who are not scheduled to work on paydays may request to pick up their paycheck the one day prior to the payday, with approval from their supervisor. Paychecks that are not picked up will be mailed to the address of record after 3 months.

Direct Deposit non-negotiable paycheck stubs (printed on plain white paper) shall be picked up at the Business Services counter in the Bronco Student Center during operating business hours on the designated payday by supervision or the employee. Direct Deposit non-negotiable paycheck stubs that are not picked by supervision or the employee on payday will be mailed to the address of record after 1 week (5 business days).

Employees receive a statement showing gross pay, deductions and net pay. Local, state and federal taxes are deducted automatically. Additionally, CalPERS retirement contribution and survivor benefits are automatically deducted from salaried employees. No other deductions are made unless authorized by the employee in writing or if required by law.

Mistakes or Lost Paychecks

Employees who discover a mistake in their paycheck, lose their paycheck or have it stolen should notify their supervisor, manager, or the Human Resources Office immediately. In the case of a mistake, the error will be remedied promptly. In the case of loss or theft, the Human Resources Office will attempt to stop payment on the check and issue a replacement check to the employee in a reasonable amount of time. However, the employee is solely responsible for the monetary loss and ASI cannot be responsible for the loss or theft of a check, if it cannot stop payment on the check.

### **5.3 Payroll Deductions**

In the preparation of payroll, the following deductions will be made from gross pay:

Mandatory - Salaried Employees

- Federal Income Tax (FIT)
- State Income Tax (SIT)
- State Disability Insurance (SDI)
- Public Employees' Retirement System (PERS)
- Survivor Benefits

Mandatory - Hourly Paid Employees

- Federal Income Tax (FIT)
- State Income Tax (SIT)
- State Disability Insurance (SDI)

Voluntary

- Parking (Salaried and other Non-Student Employees)
- Health Insurance (Salaried Employees)
- Dental Insurance (Salaried Employees)
- Vision Insurance (Salaried Employees)
- United Way
- 457 Deferred Compensation (12 Month Employees)

ASI employees are not covered by the Social Security Act (FICA), and no deductions are made for FICA or Medicare.

### **5.4 Work Schedule**

The standard workweek for ASI begins at 12:01 am Monday and ends at 12 midnight the following Sunday.

It is the policy of ASI to establish the time and duration of working hours as required by workload and production flow, customer service needs, and the efficient management of personnel resources.

The normal office working hours are from 8:00 a.m. to 5:00 p.m., Monday through Friday, with a one-hour lunch break. Employees may, however, be given a non-traditional work schedule in order to meet organizational needs. Work is expected to be performed in the office. On rare occasions, work may be performed at home, with prior approval in writing from the Executive Director.

Daily and weekly work schedules may be changed from time to time at the discretion of ASI to meet the changing environment and business requirements of the organization.

### **5.5 Overtime Policy**

Employees may occasionally be asked to work beyond their normally scheduled hours. When this occurs, supervisors will attempt to provide as much advance notice as possible. Non-exempt employees who are required or permitted to work overtime will receive overtime pay in accordance with the requirements of the Fair Labor Standards Act, state laws, and the compensation policies of ASI.

All non-exempt employees qualify for overtime pay. All overtime work by a non-exempt employee must be approved in advance by an employee's supervisor and the Executive Director. Because unauthorized overtime is against policy, employees who work unauthorized overtime are subject to disciplinary action, including termination.

Non-exempt employees shall be paid one and one-half times their regular rate for all hours in excess of 8 hours a day and 40 hours in each workweek. The workweek begins at 12:01 a.m. Monday and concludes at midnight the following Sunday.

Additionally, an employee who works the seventh day in a workweek, after working six consecutive days shall qualify for overtime. This rate applies only if the work is on the seventh day of the workweek, not the seventh day working in a row if the work is spread between two workweeks. Double time is due for all hours worked in excess of eight hours on the seventh consecutive day in any one workweek.

For the purpose of computing the number of hours worked in a workweek, hours worked means time actually spent on the job. It does not include hours away from work due to vacation, sickness, holidays or lunch hour even when these days are compensated. Unpaid sick leave, personal leave, leaves of absence, or any other time away from work is also not considered hours worked.

Exempt employees are exempt from overtime pay and are not subject to this policy.

## **5.6 Request for Alternate Work Schedule**

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

Alternate work schedule requests must be submitted in writing to your supervisor, with your signature, on the Alternate Work Schedule Request Form. Requests will be considered for approval based on the legitimate business needs of the corporation at the time the request is submitted. A separate written request is required for each occasion the employee requests make-up time.

If you request time off that you will make up later in the week, you must submit your request at least 24 hours before the desired time off. If you ask to work an alternate schedule first to take time off later in the week, you must submit your request at least 24 hours before working the alternate schedule. Your alternate work schedule request must be approved in writing before you take the requested time off or work the alternate schedule, whichever is first.

All alternate work schedules must be worked in the same workweek as the time taken off. ASI's workweek is Monday 12:01am through Sunday 12 midnight.

Employees may not work more than 11 hours in a day or 40 hours in a workweek as a result of an alternate work schedule.

If you take time off and are unable to work the schedule alternate work for any reason, hours missed can be charged to accrued time or time off without pay. However, your supervisor may arrange with you another day to make up the time, if possible, based on scheduling needs. If you work an alternate schedule before you plan to take off, you must take that time off, even if you no longer need the time off for any reason.

## **5.7 Holiday Pay**

Non-exempt employees who work on an ASI recognized paid holiday shall be paid double their regular rate.

## **5.8 Call Back Pay**

Non-exempt employees are entitled to call back pay if they are required to work after completing a normal work shift, or are called back to work on an authorized day off. Compensation for a minimum of four hours time shall be given provided the employee was called back to work without being notified prior to completion of the work shift. If notified prior to completion of the work shift, but the work begins more than three hours after the normal completion of the work shift the employee is also eligible for a minimum of four call back hours compensation. When a non-exempt employee is working on a call back basis and the time required for the completion of the job requires more than four hours, the employee will be paid on an overtime basis for the additional hours.

## **5.9 Leave Donation**

The ASI allows full-time employees to donate their vacation and or sick leave credits to other employees who have experienced an illness or injury. The illness or injury must totally incapacitate the employee from work for a minimum of thirty calendar days and the employee must have exhausted their own accrued leave credits including sick leave and vacation.

Full time employees may donate up to 16 hours per fiscal year. Leave credits may be donated in no less than one-hour increments. Full time employees with more than 250 hours of combined leave time may donate an addition 16 hours of vacation time per fiscal year. The maximum leave donation is 32 hours per fiscal year.

To qualify for the receipt of donated credits, an employee must provide a physician's statement specifying the duration of the illness or injury and documenting that the employee is totally incapacitated from work. Conditions that are short-term in nature are not included. Chronic illness and injuries, which result in intermittent absence from work, may be included. The leave donation policy may also apply in those instances when an employee is required to take extended periods of time off in order to care for an incapacitated member of their immediate family.

The total amount of leave credits donated and used may not exceed an amount sufficient to ensure the continuance of the employee's regular rate of compensation, less any disability payments received by the employee as a result of application for such benefits.

The Human Resources Office shall administer all solicitations and coordination of leave donations.

## **5.10 Exchanging Shifts and Make-up Time**

An employee is not permitted to exchange shifts with another employee without the prior authorization of both employees' supervisors. No authorization for exchanging shifts will be granted unless the exchange can be accomplished without interference with ASI's operations and without either employee working overtime.

## **5.11 Time Keeping and TimeCentre**

ASI uses the TimeCentre Time Tracking Systems, a web based system, to record the hours a temporary or part time employee works. Payroll checks are computed from TimeCentre reports. It is the employee's responsibility to log in and out for each shift accurately. If, for any reason, an employee fails to record his or her time correctly, the employee should notify his/her supervisor immediately so that the error or omission can be corrected. In accordance with state and federal law, the employer rounds times logged in and out to the nearest one-quarter hour (7 minute rule).

The following rules must be observed regarding the use of the TimeCentre System:

1. An hourly employee shall log in at the beginning of each shift and out at the end of each shift.
2. Employees should not work or log into the TimeCentre System more than seven minutes before or seven minutes after their shift. Exceptions are permissible only when an employee has received advanced approval by his/her supervisor to work overtime or additional unscheduled hours.
3. Employees must log themselves in. Badge numbers and pin numbers should be kept confidential. It is strictly forbidden to log in another employee. Violators are subject to immediate dismissal.
4. Employees are expected to log off for meal periods and when leaving the premise for personal reasons. If an employee leaves for more than 15 minutes on a shift, the employee needs to log out when he/she leaves and log back on when he/she returns to work. Continual failure to log in and out for the beginning or ending of shifts or for meal periods is cause for disciplinary action up to and including termination.
5. The employee's supervisor must authorize overtime before it is worked.
6. At the end of the pay period, supervisors will print time sheets for each employee to review. Employees must sign off on the time sheet, certifying its accuracy, before it is submitted to payroll.

## **5.12 Rest and Meal Periods**

Rest periods and meal periods are scheduled by each employee's supervisor to ensure that the employee's position and duties will be covered during periods of rest. Rest periods are provided on ASI paid time.

Two 15-minute rest breaks, one during each four-hour shift, are provided each full working day. These breaks may not be combined or added to an employee's lunch period or can they be used at the end of an employee's shift.

Employees are required by law to take meal periods, and should not eat at their desks or workstations. Meal periods of 30 minutes to one hour are provided for non-exempt employees who work more than five hours. Employees may waive their meal period if their entire shift does not exceed six hours. Employees are entitled to a second meal period if working more than 10 hours. Hourly employees are required to record the beginning and end of their meal periods. Meal periods are not compensated.

Rest and meal periods are intended to provide employees an opportunity for rest and relaxation. Accordingly, they should be enjoyed away from employee work areas and employees are not permitted to perform any duties during such periods. Employees may leave ASI premise during their meal periods. Employees are entirely relieved of responsibilities and restrictions during their meal periods, unless they have agreed with the ASI in writing to work an on-duty meal period that will be paid by ASI. In addition, employees will be compensated an additional hour of pay.

### **5.13 Wage Garnishment**

ASI is required by law to respond to wage garnishments, attachments or assignments and withhold and submit any monies, as per instructions.

ASI shall notify the appropriate employee of any wage garnishments, attachments or assignments.

Employees are responsible for their own debt. Garnishments cause considerable paperwork and expense for ASI. Although ASI understands that a wage garnishment can happen to anyone, we strongly encourage employees to work out financial problems before this situation occurs.

### **5.14 Pay Advances**

Pay advances shall be granted at the discretion of the Executive Director and only in cases of extreme emergency or personal hardship. Reasons such as rent payments, car payments, groceries or other normal bills that are part of the employee's regular monthly expenses are not considered emergencies.

**Associated Students Incorporated  
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Section 6 Benefits**

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**6.1 Public Employees Retirement System (PERS)**

ASI is a contracting agency with the California Public Employees Retirement System (PERS). CalPERS membership is required for a salaried employee working 20 hours or more per week. A full time employee becomes a member immediately upon the start of employment with ASI. A part-time salaried employee becomes a member upon completing 1,000 hours of employment within a fiscal year. Once the 1,000-hour requirement is met, the employee shall be a CalPERS member during active employment. Both the employee and employer shall contribute a percentage of salary into CalPERS for retirement. An employee becomes vested after five years of employment. If an employee terminates employment before becoming vested, he/she shall withdraw his/her contributions. In addition to the basic retirement program, CalPERS requires Survivor Benefits. This benefit provides a monthly allowance that is paid to the surviving spouse and/or children of the CalPERS member.

Information regarding CalPERS deductions and specific benefits are available at Human Resources Office.

**6.2 Health Insurance**

Health Insurance is an optional benefit for salaried employees. ASI, through CalPERS, offers a selection of health insurance plans to choose from. These include indemnity, Preferred Provider Organization (PPO) and Health Maintenance Organization (HMO) plans. ASI shall contribute a set amount per month, which mirrors the University's health insurance contributions to its employees, with the balance, if any, paid by the employee. Dependent coverage is also available.

Details of the health insurance plans are available at the Human Resources Office.

**6.3 Dental Insurance**

ASI provides dental insurance for all salaried employees working over 30 hours a week. Dependent coverage is also available

Details of the dental insurance plan are available at the Human Resources Office.

**6.4 Vision Insurance**

ASI provides Vision Insurance for the salaried employee who works over 30 hours per week. Dependent coverage is also available.

Details of the vision care insurance plan are available at Human Resources Office.

## **6.5 Life Insurance**

ASI provides all salaried employees working over 30 hours per week with a fully paid \$50,000 life insurance policy.

## **6.6 Long Term Disability Insurance**

ASI provides the salaried employee who works over 30 hours per week with a supplemental long-term disability insurance plan. The plan provides benefits following 60 days of disability. This would be in addition to any State Disability Insurance or Social Security benefits, if applicable.

## **6.7 Workers' Compensation**

ASI carries workers' compensation insurance coverage as required by law to protect employees who are injured on the job. This insurance provides medical, surgical and hospital treatment in addition to payment for loss of earning that results from hospitalization, or after the third day following the injury if an employee is not hospitalized. The cost of this coverage is paid completely by the company.

If you are injured while working, you must report it immediately to your supervisor, regardless of how minor the injury may be, in order for the proper reports to be filled out.

ASI shall coordinate Workers' Compensation Insurance with sick leave and/or vacation leave to cover the difference between regular earnings and the workers' compensation benefits. Workers' compensation benefits and sick leave pay shall not exceed the employee's regular average earnings. An employee shall be requested to provide periodic statements from his/her physician on the progress of his/her treatment and an expected date of return to work.

For details on filing a claim see Appendix D.

## **6.8 State Disability Insurance**

To protect employees who miss work due to a non-work-related accident or illness, the law requires that a small percentage of each employee's wages, up to the prevailing minimum, be deducted each pay period for disability insurance. Payment is determined by a State schedule. Benefits begin the after the seventh day of illness or accident. Eligible employees will be paid based on their previous earnings for a maximum period provided by law.

SDI benefits may be coordinated with sick and/or vacation leave, not to exceed the employee's regular average earnings. An employee may obtain claim forms from the Employment Development Department or from his/her health care provider.

## **6.9 Unemployment Insurance**

If your employment terminates, you may be eligible to receive unemployment insurance. You must file a claim in order to collect this benefit. Unemployment claims are files with the Employment Development Department which will advise you on eligibility for benefits.

## **6.10 Notice of Right to Continue Coverage under COBRA**

Federal law requires that most employers sponsoring group health plans offer employees and their families the opportunity for a temporary extension of health coverage (called "continuation coverage") at group rates in certain instances where coverage under the plans would otherwise end. This plan is commonly called COBRA.

For information on your rights under COBRA see Appendix E.

### **6.11 Risk Management**

Since most of the insurance plans described above are rated based on experience, ASI has risk management programs in place to minimize job-related injuries and all employees are expected to be vigilant in supporting these efforts.

### **6.12 Benefit Coordination while on Leave of Absence**

If an employee is on paid leave, all benefits shall remain in effect. If an employee is on unpaid leave, with the exception of The Family & Medical Leave Act of 1993 (FMLA), the said employee may elect to continue coverage of benefits by paying the total cost of the premiums. Under FMLA, medical health coverage shall continue with the same-shared contributions as if the employee was working.

If an employee is on paid leave he/she shall continue to accrue sick and vacation hours at the normal rate. He/she shall receive holiday pay if a holiday occurs during the leave period. If an employee is on unpaid leave he/she shall not accrue sick nor vacation hours. He/she shall not receive holiday pay if a holiday occurs during the leave period.

If an employee is on unpaid leave for over 22 working days, then the employee's performance review dates, anniversary date and wage adjustment date shall be changed accordingly.

### **6.13 Educational Fee Reimbursement Program**

The ASI is committed to helping employees make the most of educational opportunities. The Educational Fee Reimbursement Program assists employees who aspire to higher levels of skills and professional competencies. Educational fee reimbursement may be used for successful completion of courses that are either work-related or part of a degree pursuant to a Professional Development Plan relating to the employee's current position. Classes taken for educational fee reimbursement must be taken for academic credit. ASI has the sole discretion to determine whether a course relates to an employee's current position.

Work-Related Courses are those that directly improve skills or enhance knowledge of performing duties in an employee's current position. An employee also may take courses to acquire new skills needed to perform newly assigned duties and responsibilities. Enrollment in work-related courses may be voluntary or at the direction of the employee's supervisor or manager.

The Professional Development Plan is designed to assist in selecting courses that directly relate to the duties and responsibilities of a position within ASI. While educational fee reimbursement is expected to enhance employee's performance and professional abilities, ASI cannot guarantee that participation in formal education will entitle the employee to continued fee reimbursement, automatic advancement, a different job assignment, or pay increases.

ASI will provide educational fee reimbursements to all salaried employees who have completed one year of service. To maintain eligibility, employees must remain on the active payroll and be performing their job satisfactorily through the completion of each course. ASI invests in educational fee reimbursement with the expectation that the investment be returned through enhanced job performance. However, if an employee voluntarily separates from ASI's employment within six months of the last educational fee reimbursement payment, the employee may be required to repay the entire amount, at the Executive Director discretion.

This program provides partial fee reimbursement to employees who take courses at any accredited institution of higher education. Upon demonstration of successful completion of courses taken, the ASI will reimburse employee's tuition up to six units or \$500 a semester or quarter, whichever is less. Fee Reimbursement for graduate level courses is considered taxable income by the IRS and will be included on an employee's W-2 form. Successful completion shall be defined as receiving a grade of "C" or higher or a "pass" and shall be demonstrated by providing the Human Resources Office with a copy of the final report card or official transcript. Employees will also be required to submit a receipt of payment for tuition.

For courses taken under the Educational Fee Reimbursement Program, employees may request approval to attend California State Polytechnic University, Pomona classes during their regular work hours provided such attendance does not interrupt or interfere with the operations of the employee's department. Non-exempt employees who miss work hours as a result of class attendance must make up the missed time within the same day. Employees must have the approval of the Executive Director to attend classes during regular work hours. Classes taken at other institutions must be on the employee's own time. Time spent attending class, including travel, is voluntary and will not be considered hours worked for purposes of computing overtime compensation, unless attendance in the class is required by ASI.

In order to qualify for educational fee reimbursement, an eligible employee must complete an Application for Reimbursement of Educational Fees. In addition, a Professional Development Plan must be completed and kept on file in the Human Resources Office, if the employee desires reimbursement for professional development courses. Applicable forms must be filed as early as during the annual budgeting period but no later than one month prior to the beginning of the quarter/semester in which courses will be taken.

The Educational Fee Reimbursement Program shall be charged to the operating ASI and Bronco Student Center budgets. Department directors will be responsible for requesting funds for the program as part of the annual budget preparation. The annual budget, which is approved by the Senate, may limit the amount of fees reimbursed in a particular fiscal year. If the number of employees wishing to take courses under the Fee Reimbursement Program is greater than the budget allocated for this purpose, the Executive Director shall give priority to employees attending work-related courses as specified by the employee's supervisor, career plan or performance evaluation. The Executive Director will make all final decisions regarding an employee's participation in the Educational Fee Reimbursement Program. The Personnel Review Committee will make all final decisions regarding the Executive Director's participation.

#### **6.14 Parking**

Parking is provided on campus for all non-student employees for a yearly fee. This fee may be paid by a monthly payroll deduction. A parking decal, authorized by Cal Poly University is required for parking on campus. Parking decals are available in the Human Resources Office.

#### **6.15 Business Travel Expenses**

ASI shall reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location, in line with applicable policies and regulations. All business travel must be approved in advance by the manager/ASI Executive Director. When approved, ASI shall reimburse the actual costs of travel, meals, lodging, and other expenses directly related to accomplishing business travel. Employees are expected to limit expenses to reasonable amounts.

#### **6.16 Cal Poly Credit Union**

Employees may make contributions to the Cal Poly Federal Credit Union through payroll deductions.

#### **6.17 CalPERS 457 Deferred Compensation Plan**

Salaried employees are eligible for enrollment in CalPERS 457 Deferred Compensation Plan. This permits the deferment of taxes on a portion of the employee's monthly income. It offers the dual benefits of reducing the amount of current taxable income and increasing the amount of income in a future period when expected earnings and the employee's tax bracket will be lower. Taxes on the investment are paid at the time of withdrawal. Staff members are not permitted to council or advise in connection with this plan.

**Associated Students Incorporated  
Non-Student Employment Manual  
Section 7 Health and Safety**

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**7.1 Safety Policy**

Every employee shall understand the importance of safety in the work place. By remaining safety conscious, employees can protect their own interests as well as those of their co-workers. Accordingly, the company emphasizes “safety first” and expects all employees to take steps to promote safety in the work place.

**7.2 Division of Occupational Safety and Health**

ASI complies with the California Division of Occupational Safety and Health, whose purpose is to assure safe and healthy work conditions.

**7.3 Injury and Illness Prevention Program (IIPP) Overview**

ASI has established, implemented and is maintaining a written Injury and Illness Prevention Program (IIPP). This program has been established in accordance with Title 8, California Code of Regulations, Section 3202 of the General Industry Safety Orders and the U.S. Department of Labor, Standard 29 Code of Federal Regulations, general Industry, Part 1910.

The IIPP outlines ASI’s policies and procedures for maintaining a safe and healthy work environment for all employees. Refer to the IIPP document for additional information on:

- I. Management commitment and assignment of responsibilities
- II. System for assuring employee compliance with safe work practices
- III. Safety communications system with employees
- IV. Scheduled inspections and evaluation system
- V. Accident investigation
- VI. Procedures for correcting unsafe and unhealthy conditions
- VII. Safety and health training and instruction
- VIII. Recordkeeping and documentation

ASI’s commitment to safety and health begins with the complete support of the ASI Executive Director, the Associate Executive Director, and the designated Safety Officer.

**7.4 General Safety Rules**

Safety rules are established for the well being of all employees. Each department and work unit has specific rules in addition to these General Safety Rules:

1. Maintain a safe work environment for yourself and co-workers. If you have any doubts about the safe way to perform a task, ask your supervisor.
2. Always report unsafe working conditions to your supervisor. Employees are not expected under any circumstances to take unnecessary chances or to work under hazardous conditions without adequate safeguards. All employees have the right to report unsafe working conditions to their supervisor or the Human Resources Office without fear of reprisal.
3. Walk, do not run. Use the handrails while ascending or descending the stairs. Prevent slips and falls. Watch for spills or loose objects on the floor. Clean up spills immediately or report them to the Facilities Department.
4. Wear proper clothing, including footwear, for your specific job. Know the specific requirements of your department and ensure that you are in adherence.
5. Lift properly. Keep your back straight. Do not twist when carrying or lifting a load. Do not attempt to lift heavy or unwieldy objects by yourself, get help. Waist belts are available upon request.
6. Report any accident involving a personal injury on the job, no matter how serious, to your supervisor immediately.
7. Attend and participate in monthly departmental safety meetings.
8. Attend and participate in quarterly safety training meetings.

#### **7.5 Supervisor's Safety Responsibilities**

Supervisors are in a special position of responsibility. Supervisors are entrusted with the obligation to safeguard the well being of the employees in their charge. Supervisors can motivate their employees toward accident prevention by the following guidelines:

1. Know the rules of safety that apply to the work you supervise. Obtain expert safety advice.
2. Set a good example by demonstrating safety in your own habits and personal conduct.
3. Encourage your employees to discuss the hazards of their work with you. Be sure they understand the General Safety Rules. All employees have the right to report unsafe working conditions without fear of reprisal.
4. Train every employee in the safe performance methods. Employees are to be trained in the safe handling of equipment, machine operation, hazardous chemicals, and emergency evacuation procedures. Complete a Safety Orientation Checklist for every new employee.
5. Anticipate hazards before they occur and/or risks which arise from changes in equipment or methods. Inspect the work environment regularly.
6. Motivate your employees to work safely by methods such as:
  - a. Monthly departmental safety meetings,
  - b. Use of educational materials,
  - c. Attending quarterly safety training, and
  - d. Participating in safety committee meetings.

7. Investigate and analyze every accident. Correct the cause. Encourage employees to report minor injuries in order to avoid a possible injury later.
8. Cooperate with others in the organization that are actively concerned with preventing accidents. Your combined purpose is to keep employees fully able to work and on the job.
9. When a supervisor notes unsafe methods or unsafe working conditions, it is the supervisor's responsibility to ensure that the situation is corrected. The following steps should be taken:
  - a. Stop the unsafe methods or working conditions.
  - b. Instruct the employee involved in an unsafe method as to the correct methods, to ensure the safety of the employee and fellow employees.
  - c. Keep a record (log) of unsafe working conditions noted, including date, manager notification and date repaired. When unsafe working methods are noted, log the action taken, including any disciplinary action.

## **7.6 Accident Treatment Reporting**

For each accident:

- Obtain proper medical treatment for the injured employee.
- Make sure a Pre-treatment Authorization accompanies the injured employee to a medical treatment facility.
- Complete a Supervisor's Report of Accident for all accidents, even when medical treatment is not necessary.
- Provide injured employee with an Employees Claim for Workers' Compensation Benefits Form (DWC Form 1) and an informational brochure within one working day of the injury.
- Forward completed Supervisor's Report of Accident Form and Employees Claim for Workers' Compensation Benefits Form, and the Attending Physician Report, if applicable, to the Human Resources Office within 24 hours of accident.
- Complete Employer's Claim for Workers' Compensation Form for any accident which requires medical treatment beyond first aid, or results in lost days.
- If necessary, forward copies of Supervisor's Report of Accident Form and Employees Claim for Workers' Compensation Benefits Form, and the Attending Physician Report, and the Employers Claim for Workers' Compensation Form to Workers' Compensation Insurance Carrier.
- Add employee's injury or illness information to the Cal OSHA 3000 Log.

In the event of a work-related accident or illness, the first concern should be for the well being of the injured employee. Notify emergency response teams (911) if it appears necessary. If medical (but not emergency treatment) is needed, the individual must be referred to:

Central Avenue Urgent Care  
8831 Central Avenue  
Montclair, CA 91763  
(909) 625-4848  
Monday through Friday 8 a.m. – 8 p.m.  
Saturday & Sunday 9 a.m. – 5 p.m.

or

Chino Hills Primary Care Center  
2140 Grand Avenue  
Chino Hills CA 91709  
(909) 630-7868  
Monday through Friday 7:30 a.m. – 8:00 p.m.  
Weekends & Holidays 9:00 a.m. – 5:00 p.m.

or

Pomona Valley Hospital  
Emergency Room  
1798 North Garey Ave.  
Pomona CA 91767  
(909) 865-9600  
Monday through Sunday - 24 hours

Decisions to seek medical treatment should rest ultimately with the injured employee.

If an employee requires medical treatment, the employee is to be given a completed Pre-treatment Authorization Form. The form is to be taken to a medical treatment facility with the employee.

The supervisor's Accident Report is to be completed by the supervisor of the injured employee as soon as possible after the injury. After proper signatures are obtained, the original copy is to be hand-carried to the Human Resource Office within 24 hours of the injury. The yellow copy should be retained for the department records. Accident reports are to be completed fully, giving specific attention to the section on the prevention of accidents. In the event of a serious injury and any time that emergency personnel are called to the scene of an accident, the Executive Director or the Associate Executive Director should be notified immediately. California Labor Code Section 6409.2 requires that Cal OSHA be notified whenever a fire or police agency is called to an accident in which an employee has been seriously injured or a death has occurred.

In all instances where medical treatment is required for a work-related injury or illness an employee must be given an Employee's Claim for Workers' Compensation Benefits Form within one working day of notification of accident or medical treatment. Employee's Claim for Workers' Compensation Benefits can be obtained in the Human Resources Office. Only the employee, a family member or an attorney may complete the top portion of the form. Supervisors shall not complete the top section for their employees. Employees shall be instructed to complete the top section of the form immediately and return the form to their supervisor. The employee is then given the "Temporary Receipt" copy. The supervisor forwards the form to the Human Resources Office who completes the form and gives a final copy to the employee.

## **7.7 Return to Work Policy**

It is the policy of ASI to make modified work available to employees returning to work after injury or illness in order to get them back on the job as soon as possible. Modifications to work assignments shall be made consistent with written restriction dictated by the physician attending to the said employee. Any employee off work for more than the day of the accident, due to a work-related injury, must have a doctor's release to return to work. Managers are responsible for obtaining the doctor's release form before allowing the employee to resume work. A copy of the signed physician's release document must be forwarded to the Human Resources Office.

## **7.8 First Aid Kits**

It is important to apply quick and prudent first-aid for any injury. Each work area should be equipped with a first aid kit and individuals in the area should be familiar with the items contained in the kit. It is the responsibility of

each department supervisor to see that first aid kits are well stocked and in strategic locations. The Facilities Maintenance Department is available to assist in the locating and/or stocking of kits.

## **7.9 Emergency Procedures**

The University has a detailed emergency plan that will be put into operation as needed. This program is coordinated through the Campus Public Safety Department and covers situations such as earthquakes, bomb threats, riot, fire, etc. Emergency situations that require the evacuation of the buildings should be reported directly to the Public Safety Department (extension 911).

In addition, ASI has established the following basic procedures for emergencies occurring within the building:

### Fires

Immediately call Public Safety (extension 911) and give fire location, your name and extension. Contact the Associate Executive Director (extension 2835) to commence building evacuation procedures. If you have been trained in proper methods and you are sure the fire can be put out with an extinguisher, use the fire extinguisher to put out the flames. If you are not sure you can put out the flames with a fire extinguisher, leave the building immediately.

### Bomb Threats

Immediately call Public Safety (extension 911); state your name, location and extension number. Repeat exactly what was said. Keep your phone line clear. Remain calm. Avoid panic and causing panic among others.

### Earthquakes

Move away from all areas with glass. Stand under a doorway or duck under a firm object (table, desk, etc.). Remain calm. Once shaking has stopped, commence emergency evaluation procedures.

## **7.10 Department of Public Safety**

In addition to emergency services, the Campus Public Safety Department performs general security functions on campus. This includes primary law enforcement, traffic control, and investigations of criminal offenses committed within the jurisdiction of the department. The Public Safety Department will provide assistance on a twenty-four hour a day basis.

## **7.11 Workplace Security and Zero Tolerance for Workplace Violence Policy**

The company is committed to providing a violence-free workplace for its employees. In keeping with this commitment, it has established a zero tolerance policy that prohibits actual or threatened violence by employees against co-workers or other persons. This policy is also intended to promote workplace security by addressing situations in which outsiders enter the workplace and engage in violent acts or threaten employees with violence. Although some kinds of violence results from societal issues that are beyond our control, ASI shall adopt feasible measures that shall increase security and protection for our employees. In order to accomplish this objective, we require the cooperation of all employees.

The company believes that employees are better prepared to avoid or prevent violence if they are able to recognize early warning signs in advance and follow appropriate response procedures. Therefore, employees shall play a crucial role in the administration of this anti-violence policy.

## **7.12 Ergonomics**

ASI shall comply with ergonomics requirements as set forth by the Federal Government and the State of California. To meet these requirements ASI shall develop an ergonomics program, which is consistent with federal and state guidelines.

### **7.13 Smoking Policy**

In accordance with Section 1962 of the Government Code, ASI has adopted a no-smoking policy. Smoking is prohibited in ASI offices and facilities or outlying perimeter, except in those specifically designated smoking areas.

### **7.14 Drug Free Workplace**

It is the goal of ASI to provide a drug-free and safe workplace, in accordance with the Drug-free Workplace Act of 1988. To promote this goal, employees are prohibited from reporting to work or working under the influence of a drug or alcohol.

While on the premises of ASI and while conducting business-related activities off ASI premises, no employee may possess, manufacture, distribute, sell or be under the influence of alcohol or illegal drugs. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform his/her job (with or without reasonable accommodation) in a manner that would not endanger the employee's health or safety or the health or safety of others, or pose a risk of significant damage to property.

## **Associated Students Incorporated Personnel Policies and Procedures Manual Appendix A**

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### **Performance Evaluations**

Supervisors are responsible for completing and delivering performance evaluations within thirty calendar days of prescribed dates. The following steps should be taken to ensure the review is properly processed.

#### Evaluation Form

During the evaluation period, supervisors should discuss the performance evaluation form with their employees. This discussion should include the types of performance factors the employee will be evaluated on and what constitutes exemplary, satisfactory or deficient performance. Supervisors should also discuss the recommendation process for merit increases.

During the subsequent evaluation period, both the supervisor and employee should maintain notes on the employee's performance. These notes should include, but are not limited to, any pertinent information regarding the employee's achievements, professional development, special assignments, volunteer opportunities, attendance records, areas needing improvement, and/or warnings. To help facilitate the evaluation process, employees should submit their notes to their supervisors annually, at the beginning of May. Supervisors should review these notes prior to completing the employee's evaluation.

#### Evaluation Process

Supervisors will be notified by the Human Resources Office at the beginning of the evaluation period. Employees are also encouraged to complete an optional self-evaluation.

Prior to discussing the performance evaluation with an employee, supervisors must review the evaluation with their next level of supervision for content and for a preliminary rating.

Employees and supervisors meet to discuss the supervisor's evaluation. This is an opportunity for the employee to compare their self-evaluation to that of their supervisors. If necessary, revisions to the supervisor's evaluation would occur at this point. During this meeting, the supervisor should also focus on the performance standards which the employee is to try to achieve during the next rating period.

The supervisor's evaluation is then attached to the employee's self-evaluation, if submitted. The supervisor signs the evaluation, calculates ratings, and indicates whether or not the employee has been recommended for a merit increase. The employee must be aware that a supervisor's recommendation does not ensure a merit increase.

The employee has two days to complete the employee comment section if desired. If necessary, the employee and supervisor should meet again to discuss employee comments. Every effort should be made to resolve any conflict regarding the evaluation and/or the rating prior to submitting the evaluation form to the Executive Director.

The evaluation and the self-evaluation, if applicable, is forwarded to the Executive Director for review or to address any concerns raised in the section of the form completed by the employee. The Executive Director reviews the evaluation, verifies the ratings and calculations, and determines the applicable merit increase based on available funding and budget constraints. The Executive Director submits merit increase recommendations to the Personnel Review Committee. After discussion with the Personnel Review Committee, the Executive Director approves, denies or adjusts the recommend merit increase percentage based on the annual budget approved by the ASI Senate. Evaluation forms are returned to the Human Resources Office.

The Human Resources Office will notify the supervisor and the employee of the actual merit increase percentage. Merit increases are effective July 1 of each year. The Human Resources Office will process the merit increase after it has received completed and signed evaluations. At the end of the evaluation process, three copies of the evaluation form are made, one is filed in the employee's personal file, and the others are given to the direct supervisor and the employee.

### Ratings

The supervisor evaluates the employee's performance based on the performance rating factors. It is understood that the descriptions under each factor may not be all inclusive and all items may not be appropriate for the individual involved. The employee should be rated accordingly on the most important aspects of the factor to their particular position. Performance factors one (1) through eleven (11) must be completed for all staff employees. Factor twelve (12) is applied to any staff employee who uses office equipment, computers, and/or voicemail. Factor thirteen (13) is used for staff employees who supervise other employees including student assistants.

The rating, which most closely reflects his/her performance, should be noted. To support the evaluation ratings, the supervisor must provide written comments to indicate how well the employee is doing in terms of meeting performance standards. Specific achievements, which are significantly above and beyond an employee's normal job duties, and/or areas of performance requiring improvement, should be particularly noted. The ratings are based on the employee's job description and performance standards, which are given to the employee at the beginning of the rating period.

### Performance Factor Levels

Each performance factor is rated individually. Supervisors should use the following performance factor levels to define performance.

- 0 Work that is so clearly below expectations that the employee's job is in jeopardy.
- 1
- 2 Work that is below expectations, but could be improved with a little more training or effort.
- 3
- 4 Work that satisfactory and meets basic requirements.
- 5
- 6 Work that consistently exceeds expectation.
- 7
- 8 Work that makes an extraordinary impact or contribution, usually a one-time occurrence that deserves special recognition.

Scores of 1, 3, 5 & 7 should be reserved for employees whose performance reflects a rating that is slightly above the previous score, but does not quite achieve the next rating level.

### Calculating Total Score

Supervisors should count the total number of performance factors used in the evaluation. Scores from each of the performance factors are then added together. The total number of performance factors is then divided into the performance factor score to determine the employee's total score. Employees must receive a minimum total score of 4.0 in order to be recommended for a merit increase.

A merit pool is projected for each evaluation period during the budget process. This scale will be reviewed annually and adjusted accordingly.

### Schedule for Annual Review

The annual review period is from July 1 through June 30. The evaluation process begins in the first week of April and continues through May 15. All annual evaluations must be received by the Executive Director no later than May 15. The Executive Director prepares merit increase recommendations, which are presented to the Personnel Review Committee in late May. Following the final approval of the ASI and Bronco Student Center budgets, employees will be notified of pending merit increases. Merit increases are effective July 1, but will not be reflected on paychecks until the budgets have been approved.

**Associated Students Incorporated  
Personnel Policies and Procedures Manual  
Appendix B**

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**Grievance Procedure**

Before filing a grievance using this procedure, an employee is urged to attempt to resolve the matter informally through discussion with the appropriate supervisor.

Employee complaints shall be settled at the lowest possible level. An employee is assured freedom from penalty or reprisal for using this grievance procedure.

The grievance policy shall apply to all current employees of ASI.

Time Limits

Each step of the formal grievance procedure carries a specified time limit. When a stated time period expires on a day which is not a regular workday, the time period shall be extended through the close of business on the next regular workday. In the event that vacation, sick leave or other authorized absence precludes the meeting of a deadline, that deadline may be extended a reasonable amount of time.

Scope of Grievance Procedure

This procedure may be used whenever a regular employee believes he/she has been personally adversely affected by an action taken by his/her employer or representative in the following matters:

1. Violation of ASI working conditions.
2. Promotion (not including classification decisions).
3. Retention or layoff.
4. Performance evaluation.
5. Merit salary adjustment.
6. Disciplinary action for cause.
7. Discrimination.
8. Regularly assigned duties outside of job description.

This procedure shall not be used to appeal a procedural or final decision in the following areas:

1. Any policy or procedure developed and approved by ASI.
2. Decisions in classification or reclassification matters.
3. A procedural or final decision in a grievance.
4. Non-retention of a temporary employee.
5. Termination because of voluntary resignation.

Notice of Grievance Form

The authorized form to be used under this procedure is the ASI Notice of Grievance Form. This form shall be made available through Human Resources together with this procedure. An employee who feels he/she may have a grievance is encouraged to begin the process promptly.

Grievance Review Procedure

An employee who believes he/she has cause for a grievance shall discuss the matter informally with his/her immediate supervisor. If, after discussions with the immediate supervisor, the employee believes the grievances have not been properly addressed, the grievance may be expressed in writing.

A Notice of Grievance Form may be filed up to, but no later than one year after the occurrence of the alleged incident that gave rise to the problem. This form must contain all facts of the alleged action occurred, the policies or procedures violated, the names of any witnesses, and the source of any supporting documentation. The employee must also state what he/she believes would be the appropriate resolution of the conflict. Attachments to the Notice of Grievance Form are acceptable if there is a desire for additional information to be included. An employee may request the assistance of another ASI employee or other individual to prepare and present material.

The grievance review procedure shall consist of three levels of review except as otherwise provided by this policy.

#### A. Level I

A grievance properly filed on the ASI Notice of Grievance Form is presented to the immediate supervisor. A decision shall be rendered to the employee in writing within five (5) working days after the receipt of his/her written grievance.

The supervisor must make every possible attempt to resolve the matter expeditiously and satisfactorily. A supervisor may discuss the complaint with the Executive Director or the Director of Human Resources of Cal Poly Pomona Foundation in an effort to reach an acceptable solution expeditiously. A supervisor may also seek information from other employees (staff, supervisors, managers) in an attempt to investigate the alleged violation. Such discussions shall be treated with utmost discretion and confidentiality in order to protect the right of the individual (s).

The above notwithstanding, the following examples are recognized as instances where an employee may pursue a grievance without first meeting with his or her immediate supervisor:

- If the employee suspects or has proof that a federal or state law or a Trustees' or campus regulation is being violated or is about to be violated.
- If a safety hazard exists that threatens the health of an employee or customer.
- If the grievance directly involves the immediate supervisor and the employee can reasonably demonstrate that the department head may not be able to deal objectively with the situation.

#### B. Level II

If the employee does not agree with the decision reached at Level I, the grievance shall be presented to the ASI Executive Director, who must render a written decision to the employee within ten (10) working days. If that recommendation overturns the decision of Level I, the grievance, decision and recommendation will proceed to Level III.

The Executive Director shall provide the employee an opportunity to present his/her complaint personally. The Executive Director may also wish to interview other parties who may have been involved or who may have witnessed the alleged violation. In addition the Executive Director must review the procedures followed up to the point in time at which he/she became involved to ensure that all steps have been followed. If this review reveals that procedures have not been followed, the Executive Director must refer the matter back to the employee, advising him/her as to the necessity of following the guidelines as set forth.

#### C. Level III:

If the employee does not agree with the decision reached at Level II, the grievance shall be presented to the Personnel Review Committee (PRC) for hearing. The grievance, together with any decisions made at Levels II, and I shall be delivered to the Chair of the PRC within ten (10) working days of the grievance's receipt of decision at the second level of review.

In Levels I and II if the reviewer does not complete the review in the stated time frame, the grievance will automatically proceed to the next level. At all levels, the grievant and reviewer may, by mutual written consent, extend the time limit for rendering a decision.

#### Conduct of the Personnel Review Committee Hearing

At a closed hearing, only the following persons will be present:

The members of the PRC, recording technician, the grievant, his/her designee, the ASI or Bronco Student Center representative, attorneys if any, and witnesses while giving testimony. If an employee reports directly to a member of PRC, another person will be selected for the hearing.

All grievance hearings shall be tape-recorded. The Personnel Review Committee shall retain custody of the tapes until its findings of fact and recommendations have been made. At this time the tapes shall be given to the ASI Executive Director, unless a grievance directly involved the Executive Director. In that event, the tapes should be kept with the President of the Associated Students, Inc. Tapes should be kept for a period of at least five years, or if legal action is pending, until such time as all legal action is concluded. The grievant shall be given a copy upon request. Copies of the tapes are to be made under the supervision of the PRC. The hearings shall not be conducted according to legal or technical rules relating to evidence or witnesses. Any relevant evidence may be permitted providing it is the kind of evidence on which responsible persons can rely on in order to arrive at fair and objective decisions.

The chair of the PRC hearing has the authority to:

- Establish additional rules necessary to conduct the hearing.
- Exclude evidence or witnesses who are determined to be repetitious.
- Request testimony from witnesses other than those called by the parties to the grievance.

#### Presentation of Evidence

The grievant shall present his/her case first. The grievant must clearly demonstrate through evidence that he/she was directly wronged by the taking of the final action(s) which gave rise to the grievance. The grievant's witnesses may be cross-examined by the ASI representative and the PRC.

All written evidences shall be submitted to the chair of the PRC in duplicate, with one copy to either the grievant or the ASI representative as the case may be.

At the conclusion of the grievant's presentation, the ASI representative shall then present his/her evidence and witnesses.

The grievant, the grievant's representative, and the PRC may cross-examine any ASI witness.

At the conclusion of the ASI presentation, each side shall have an opportunity to present summary arguments, either orally, in writing, or both. The grievant shall go first. The grievant shall have an opportunity for an immediate oral rebuttal of the ASI summary arguments.

#### Findings of Fact and Decisions

After the conclusion of all hearings, the PRC will determine findings of fact and make its decision(s) within 30 days from the date of the last hearing. The decision is determined by majority vote of the PRC. The grievant will be notified of the decision in writing within ten (10) working days from the date the Personnel Review Committee issues its decision. The grievant may choose to file with the Vice President of Student Affairs, whose decision is final.

#### Additional Provisions

Occasionally, circumstances will interfere with the ability to file a timely response per the limits set forth in this procedure. Time constraints may be extended by mutual agreement of the employee and the supervisor, division manager, or the Personnel Review Committee, as appropriate.

Failure of an employee to comply with the time limits set forth shall render the complaint null and void and prohibit further action by the employee. Failure by the immediate supervisor or manager to respond within the time limits set forth shall permit the complaint to be filed at the next level.

An employee may request the assistance of another employee at any time during the proceedings. Employees shall be allowed to use a reasonable amount of work time in preparing and presenting the complaint at each level. The immediate supervisor of the employee(s) must be notified in advance and approve the time off requested.

An employee may withdraw a complaint at any time. In such an instance, no further complaint shall be allowed on the same violation.

The "Notice of Grievance Form" shall be completed in its entirety at all levels of the process with a copy provided to the appropriate Director. Copies of all responses at each level shall also be given to the appropriate Director.

If at any time in the proceedings, it is determined that the matter is outside the scope of this procedure, the "Notice of Grievance Form" shall be returned to the employee with a written explanation and the proceedings shall be terminated.

In cases where it may be necessary to access information for the purpose of investigating material to file a complaint, a written request for such information shall be submitted to the appropriate Director.

All statements, documents, or other aspects of these proceedings shall be confidential throughout to allow matters to be dealt with in a fair and professional manner.

## **Family and Medical Leave Act (FMLA)**

### Eligible Employees

To qualify for a medical leave or family leave, an employee must have been employed for at least 12 months and must have worked at least 1,250 hours of service during the 12 month period immediately prior to beginning of each leave. Employees also must be employed at a location that has 50 or more employees within a 75-mile radius.

### Reasons for Leave

Eligible employees may take medical leave or family care leave for the following reasons:

- for the birth of a child or the placement of a child with the employee for adoption or foster care;
- to care for a spouse, child or parent who has a serious health condition; or
- for the employee's own serious health condition if the employee is unable to perform the essential functions of his or her job.

A serious health condition means an illness, injury, impairment, physical or mental condition that involves: (1) inpatient care in a hospital, hospice or residential health care facility; or (2) continuing treatment or continuing supervision by a health care provider that also requires an absence from work, school or other regular daily activities of more than three days.

### Duration of Leave

Eligible employees are entitled to take family care and medical leaves of absences up to a combined total of 12 weeks in a 12-month period. Computation of the leave period starts with the first day covered after leave begins. Leave for the birth, adoption or foster placement of a child must conclude within one calendar year of the actual birth, adoption or placement. If both parents work for ASI, the parent's combined leave for the birth or placement of a child may not exceed 12 weeks during any 12-month period.

An eligible employee may take intermittent leave or may work a reduced work schedule for a serious health condition of the employee's child, parent or spouse or of the employee when medically necessary and if certified by a health care provider. If the need for the leave or intermittent leave is foreseeable, the employee should consult with the Human Resources Office and their immediate supervisor and make a reasonable effort to schedule any planned treatment in cooperation with ASI, if possible, in order to minimize disruption to the workplace.

### Benefits During Leave

Group health insurance coverage will continue for eligible employees taking family care or medical care leave under this policy under the same terms and conditions that applied before the leave commenced. To continue health insurance coverage, the employee must continue to make any premium contributions that he or she was required to make prior to taking leave. Premium payments are due monthly and should be made payable to ASI and delivered to the Human Resources Office. If an employee fails to pay his or her portion within 30 days of the due date of a premium, his or her health insurance coverage may be canceled. In such cases, employees will be notified at least 15 days before commencement of family care or medical leave. The employee may reinstate coverage immediately following the leave if the employee resumes payment of his or her share of the premiums in a timely manner.

Employees on family care or medical leave do not accrue seniority or benefits including vacation, sick leave and/or holiday pay, while on unpaid leave. An employee who takes a family or medical care leave of absence will not lose any seniority earned prior to the commencement of family care or medical leave.

### Coordination of Benefits

Family care and medical leaves are unpaid. An employee who is granted a family and medical care leave of absence must utilize any accrued but unused paid time off benefits (i.e., vacation and sick leave) during the period of the leave. Any portion of a leave that occurs after all paid time off benefits have been exhausted will be without pay.

Any unpaid or paid portions of this policy shall be added together and will not extend the 12-week total leave period limitation allowed under family leave and medical leave policy.

### Notice Requirements

Employees who need to take family care or medical leave should contact the Human Resources Office as soon as they learn of the need for leave, even when they do not know the precise dates that leave will be needed. If leave is foreseeable, at least 30 days written notice is required. For events that are not foreseeable 30 days in advance, but are not emergencies, the employee must give notice within 2 working days of learning of the need for the leave. If ASI determines that the notice was inadequate and that the employee knew of the need for leave in advance of the request, it may require the employee to delay his or her leave. If circumstances of the leave change and the employee is able to return to work earlier than indicated, the employee is required to notify the Human Resources Office at least two working days prior to the date he/she intends to return to work. Similarly, if an employee learns he or she will be unable to return to work on the date previously indicated, the employee is responsible for applying for an extension and furnishing a medical recertification for an extension, prior to the date that the leave expires.

### Medical Certification

An employee taking leave for the serious health condition of a family member or for his or her own serious health condition must provide ASI with certification from a health care provider on the ASI Certification of Health Care Provider Form, within 15 calendar days of ASI's request. Failure to provide satisfactory medical certification may result in the denial of a leave request until employee obtains the required medical certification.

In cases of a leave for the serious condition of an employee, ASI may require the medical opinion of a second healthcare provider at ASI's own expense, chosen by ASI to substantiate a medical certification. If the second opinion differs from the first, ASI may require the opinion of a third health care provider (also at ASI's expense) jointly approved by both ASI and the employee. The opinion of the third health care provider shall be binding on both ASI and the employee.

If an employee requests an extension of leave beyond the time estimated by the health care provider, ASI shall require re-certification of the employee's or the family member's serious health condition. ASI also requires employees taking leave for their own serious health condition to present a fitness-for-duty certification before returning to work. In no event will a leave be extended beyond the maximum 12-week period.

### Reinstatement

When an employee is able to return to work, he or she should give ASI at least two (2) weeks notice. This is important so that the employee's return to work is properly scheduled.

Under most circumstances, ASI will reinstate employees to their former or equivalent position if they return from leave within 12 weeks. Exceptions, however, may occur as permitted by law. For example, ASI cannot guarantee reinstatement if the employee is a salaried employee and among the highest paid ten percent of all employees within a 75 mile radius and reinstatement would cause substantial and grievous economic injury, or if the employee would have been subject to lay off or job elimination, had the employee not taken leave. Employees should understand that they have no greater right to reinstatement or to other benefits of employment than if they had continued to work during their leave.

Employees who do not return to work immediately upon the expiration of an approved leave of absence or within the maximum period allowed for the family and medical leave shall be considered to have voluntarily terminated from ASI.

**Associated Students Incorporated  
Personnel Policies and Procedures Manual  
Appendix D**

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**Workers' Compensation**

Filing a Claim

When an employee suffers a work related injury or illness in the performance of his or her duties, the employee must report it to his/her supervisor immediately, but no later than twelve hours after the accident. Within 24 hours of the supervisor's knowledge of the injury, the supervisor must provide the employee with an "Employee's Claim for Workers' Compensation Benefits" form. The supervisor must also complete the "Supervisor's Report of Accident". Both the Employee's Claim and Report of Accident forms must be submitted to the Human Resources Office within 48 hours of the supervisor's knowledge of the injury or illness.

Designated Treatment Facility

Injured employees are to referred to:

Central Avenue Urgent Care  
8831 Central Avenue  
Montclair CA 91763  
(909) 625-4848  
Monday through Friday 8 a.m. – 8 p.m.  
Saturday & Sunday 9 a.m. – 5 p.m.

Chino Hills Primary Care Center  
2140 Grand Avenue  
Chino Hills CA 91709  
(909)630-7868  
Monday through Friday 7:30 a.m. – 8:00 p.m.  
Weekends & Holidays 9:00 a.m. – 5:00 p.m.

or

Pomona Valley Hospital  
Emergency Room  
1798 North Garey Ave.  
Pomona CA 91767  
(909) 865-9600  
Monday through Sunday - 24 hours

Treatment

For minor injuries, an employee should be given first-aid, provided trained personnel are available. If trained personnel are not available or if medical treatment is required, the employee should be referred to urgent care or a hospital. Employees are required to use the designated treatment facility listed above, unless a Physician Designation Form has been completed and is on file in the Human Resources Office. If an employees does not have a Physician Designation Form on file and that employee receives treatment from a facility other than the ASI's designated treatment facility this may result in postponed treatment, delayed claims, untimely reimbursement, and/or denial of benefits from the workers' compensation carrier.

If a serious injury occurs, call the campus Public Safety Department at 911. They will obtain all necessary medical care, including transportation. If the injured employee is a student at Cal Poly Pomona they are able to receive treatment on campus at Student Health Services. Student Health Services is located at 3801 W. Temple Ave, Building 46, Pomona, CA 91768, (909) 869-4000. The hours of operation are Monday & Thursdays 8 a.m. – 6 p.m., Tuesday & Wednesday 8 a.m. – 7 p.m., and Fridays 8 a.m. - 5 p.m.

The treating physician should be instructed to send a diagnosis report to the Human Resources Office as soon as possible. This report should include any work restrictions or time off required. Employees may not return to work following a job-related injury or illness without a medical release.

Permanent Disability

An employee who is permanently disabled may receive a settlement based on applicable Worker's Compensation Law. Benefits are payable to surviving dependents if death results from a work related injury. While absent on work-related disability leave, an employee continues to earn vacation and sick leave credit.

Disclaimer

ASI or its insurance carrier may not be liable for the payment of workers' compensation benefits for any injury which arises out of an employee's voluntary participation in any off-duty recreational, social, or athletic activity which is not part of the employee's work-related duties.



### **Notice of Right to Continue Coverage under COBRA**

On April 7, 1986, a new federal law was enacted (Public Law 99-272, Title X) requiring that most employers sponsoring group health plans offer employees and their families the opportunity for a temporary extension of health coverage (called "continuation coverage") at group rates in certain instances where coverage under the plans would otherwise end. The continuation coverage provisions of this law were subsequently amended by the Tax Reform Act of 1986 [Public Law 99-514], the Omnibus Budget Reconciliation Act of 1986 [Public Law 99-507], the Technical and Miscellaneous Revenue Act of 1988 [Public Law 100-647], and the Revenue Reconciliation Act of 1989 [Public Law 101-239]. This notice is intended to inform you, in a summary fashion, of your rights obligations under the continuation coverage provisions of the new law.

If you are an employee of Associated Students, Inc., Cal Poly Pomona and are covered by the PERS Health Insurance while retired, and if Associated Students, Inc., Cal Poly Pomona commences a bankruptcy proceeding under Title XI of the United States Code and your group health coverage benefits are terminated or substantially reduced with one year of the filing of such bankruptcy, you have a right to continuation coverage for life.

If you are the spouse of an employee covered by the CalPERS Health Insurance, you have the right to choose continuation coverage for yourself if you lose group health coverage under the CalPERS Health Insurance for any of the following five qualifying events:

1. The death of your spouse;
2. A termination of your spouse's employment (for reasons other than gross misconduct) or reduction in your spouse's hours of employment;
3. Divorce or legal separation from your spouse;
4. Your spouse becomes eligible for Medicare; or
5. A bankruptcy proceeding under Title XI is commence with respect to Associated Students, Inc., Cal Poly Pomona from whose employment your spouse retired at any time, and your benefits are terminated or substantially reduced within one year of the filing of such bankruptcy.

In case of a dependent child of an employee covered by the CalPERS Health Insurance, he or she has the right to continuation coverage if group health coverage under the CalPERS Health Insurance is lost for any of the following six qualifying events:

1. The death of a parent;
2. The termination of a parent's employment (for reasons other than gross misconduct) or reduction of parent's hours of employment with Associated Students, Inc., Cal Poly Pomona;
3. Parent's divorce or legal separation;
4. A parent becomes eligible for Medicare;
5. The dependent ceases to be a "dependent child" under the CalPERS Health Insurance; or
6. A bankruptcy proceeding under Title XI is commenced with respect to Associated Students, Inc., Cal Poly Pomona from whose employment your parent retired at any time and your benefits are terminated or substantially reduced within one year of the filing of such bankruptcy.

If there is a choice among types of coverage under the CalPERS Health Insurance, each qualified beneficiary (e.g., employee, retiree, spouse or dependent) is entitled to make a separate selection among such types of coverage. With regard to the term "qualified beneficiaries," such term does not include non-resident aliens without any earned income.

Under the new law, the covered employee or qualified beneficiary has the responsibility to inform the Human Resources Office of a divorce, legal separation, or a child losing dependent status under the CalPERS Health Insurance within 60 days after the date of such event. Failure to provide such notice may result in a forfeiture of a qualified beneficiary's right to continuation coverage.

When the Human Resources Office is notified that one of these events has happened, the Human Resources Office will in turn notify you within 14 days that you have the right to choose continuation coverage. Under the new law, you have at least 60 days from the date you would lose coverage because of one of the events described above to inform the Human Resources Office that you want continuation coverage.

If you do not choose continuation coverage, your group health insurance coverage will end.

If you choose continuation coverage, Associated Students, Inc., Cal Poly Pomona is required to give you coverage which, as of the time coverage is provided, is identical to the coverage provided under the plan to similarly situated employees or family members. The new law requires that you be afforded the opportunity to maintain continuation coverage for three years unless you lose group health coverage because of a termination of employment, reduction in hours or bankruptcy of Associated Students, Inc., Cal Poly Pomona. In case of termination of employment or reduction in hours, your required continuation coverage period is 18 months. However, this period may be extended to 29 months if it is determined that you are disabled, under certain provision of the Social Security Act, at the time of your termination or reduction in hours and you provide notice within 60 days of the determination. Such notice must be provided before the end of the 18-month period.

A qualified beneficiary may have more than one qualifying event, but the coverage period generally may not exceed a total of 36 months. If the benefits of a retiree terminate or are substantially reduced by a bankruptcy qualifying event, the law requires that the retiree be afforded the opportunity to maintain continuation coverage for life. However, after the retiree's death, the surviving spouse and dependent children may only continue coverage up to three years.

The new law also provides that your continuation coverage may be cut short for any of the following four reasons:

1. Associated Students, Inc., Cal Poly Pomona no longer provides group health coverage to any of its' employees;
2. The premium or your continuation coverage is not paid within 30 days after the date due or within such longer period as applies to or under the plan;
3. You become covered under any other group health plan (as an employee or otherwise) unless that plan contains an exclusion or limitation with respect to any preexisting condition that you have; and
4. You become eligible for Medicare. However, if an employee becomes entitled to Medicare, the period of coverage for qualified beneficiaries other than the employee may continue for 36 months under same circumstances.

You do not have to show that you are insurable to choose continuation coverage. However, under the new law, you will have to pay 102% of the premium for your continuation coverage. This rate may increase to 150% for the last 11 months of the continuation period under the Revenue Reconciliation Act of 1989. (The new law also says that, at the end of the applicable 18-month, 29-month, or 36-month continuation coverage period, you must be allowed to enroll in an individual conversion health plan provided under the PERS Health Insurance if otherwise generally available under that plan.)

The continuation coverage law (which is called "COBRA") became applicable to the CalPERS Health Plan beginning on July 1, 1970. If you have any questions about the new law, please contact the Human Resources Office at Associated Students, Inc., Cal Poly Pomona, 3801 W. Temple Ave., Bldg. 35, Pomona, CA 91768. Also, if you have changed marital status, or you or your spouse have changed address, please notify the Human Resources Department.

**Associated Students Incorporated  
Personnel Policies and Procedures Manual  
Appendix F Personnel Forms**

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Employee Acknowledgement of Manual and Understanding of At-Will Status  
Personnel Action Form (PAF)  
Non-Student Employee Orientation Checklist  
Staff Performance Evaluation  
Monthly Attendance Report  
Additional Hours Attendance Report  
Time-Off Request  
Alternate Work Request Form  
Mobile Communication Equipment Authorization Form  
Exit Checklist  
Notice of Grievance Form

**Associated Students, Incorporated**  
**California State Polytechnic University, Pomona**  
**Personnel Policies and Procedures Manual**  
**Employee Acknowledgement of Manual and Understanding of At-Will Status**

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This will serve to acknowledge that I have received a copy of Associated Students, Incorporated (ASI) Policies and Procedures Manual on the date shown below. The Policies and Procedures Manual describes important information about ASI, and I understand that it is my responsibility to read the Manual and to abide by the rules, policies and standards set forth in the Manual. I understand the contents of this manual are presented solely as a matter of information and personal guidance, and that this manual is not intended to be, nor should it be viewed as, either an expressed or implied contract between ASI and myself.

I further understand that ASI maintains a strict policy of at will employment with respect to both the duration and terms and conditions of the employment relationship. This means that ASI reserves the right to change the terms and conditions of the employment relationship or to terminate that relationship at will, with or without cause or prior notice. I also understand and agree that ASI's policy of at will employment is not subject to change other than through an express written agreement signed by me, the Executive Director and the ASI Senate.

I understand that the foregoing agreement concerning my employment at-will status and ASI's right to determine and modify the terms and conditions of employment is the sole and entire agreement between me and ASI concerning the duration of my employment, the circumstances under which my employment may be terminated, and the circumstances under which the terms and conditions of the employment may change. I further understand that this agreement supersedes all prior agreements, understandings, and representation concerning my employment with ASI. Finally, I understand that, except for ASI's policy of employment at will, ASI reserves the right, in its sole and absolute discretion, to change, supplement, or rescind all or any part of the practices, procedures, or benefits described in the manual as it deems necessary, with or without prior notice.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee's Name (Typed or printed)