



# DESERT HEALTHCARE DISTRICT & FOUNDATION

Employee Handbook

April 2026





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# General Employment Policies

## Introductory Statement

*Welcome!* As an employee of Desert Healthcare District (the “District”), you are an important member of a team effort. We hope that you will find your position with the District rewarding, challenging, and productive.

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

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

## Right to Revise

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 All previously issued handbooks and any inconsistent policy statements or memoranda are superseded.

The District reserves the right to revise, modify, delete, or add to any and all policies, procedures, work rules, or benefits stated in this handbook at any time, except for the policy of at-will employment.

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

Nothing in this employee handbook or any other personnel document, including benefit plan descriptions, creates or is intended to create a promise or representation of continued employment for any employee.

Nothing in this statement is intended to interfere with your right to communicate or work with others toward altering the terms and conditions of your employment, such as communications regarding wages, scheduling or other terms or conditions of employment.

## At-Will Employment Status

Desert Healthcare District personnel are employed on an at-will basis. This means that the employment relationship may be terminated at any time with or without reason or advance notice by either the employee or the District. Nothing in this handbook limits the right to terminate at-will employment.

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No employee or representative of the District has any authority to enter into an agreement for employment for any specified period of time or to make an agreement for employment on other than at-will terms. Only the Chief Executive Officer of the Desert Healthcare District has the authority to make any such agreement, which is binding only if it is in writing.

Nothing in this at-will statement is intended to interfere with an employee's rights to communicate or work with others toward altering the terms and conditions of their employment, such as communications regarding wages, scheduling or other terms of employment.

# Equal Employment Opportunity

## Equal Employment Opportunity Policy

The Desert Healthcare District is an equal opportunity employer and affords equal employment opportunity for all qualified employees and applicants to all terms of employment including but not limited to compensation, hiring, training, promotion, transfer, discipline and termination.

The District prohibits discrimination against employees and applicants for employment based on the employee or applicant's race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age (40 and over), sexual orientation, or military and veteran status or any other basis protected by law.

Any employee, volunteer, or applicant who believes they have experienced any form of employment discrimination or abusive conduct is encouraged to report the conduct immediately by using the complaint procedures provided in these Policies, or by contacting the Equal Employment Opportunity Commission ("EEOC"), or the Civil Rights Department ("CRD").

## Harassment Discrimination and Retaliation Prevention

The District is committed to providing a work environment free of harassment, discrimination, retaliation, and disrespectful or other unprofessional conduct because of an individual's protected classification which includes:

- Race (including hair texture and protective hairstyles)
- Religion (including religious dress and grooming practices)
- Color
- Sex/gender (including pregnancy, childbirth, breastfeeding or related medical conditions), sex stereotype, gender identity/gender expression/transgender (including whether you are transitioning or have transitioned) and sexual orientation
- National origin
- Ancestry
- Physical or mental disability
- Medical condition
- Genetic information/characteristics
- Marital status/registered domestic partner status
- Age (40 and over)
- Sexual orientation
- Military or veteran status
- Any other basis protected by federal, state or local law or ordinance or regulation

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

## Employee Handbook

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

***All such conduct violates District policy.***

## Harassment Prevention and Training

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

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

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

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

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

A single act by a District employee may constitute a violation of this policy and provide sufficient grounds for the District to discipline the employee.

All employees shall be required to participate in a District sponsored harassment education and training course within six months of hire and at least once every two years thereafter per Policy #BOD-14. The training programs offered by the District will comply with all local, state, and federal requirements.

## Non-Discrimination

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

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

## Anti-Retaliation

The District will not retaliate against employees for filing a complaint or participating in any workplace investigation or complaint process and will not tolerate or permit retaliation in the workplace.

## Complaint Process

If an employee believes that they have been the subject of harassment, discrimination, retaliation or other prohibited conduct, the employee should bring their complaint to the Chief Administration Officer or alternatively to the following as soon as possible after the incident:

- Chief Executive Officer
- The District's Legal Counsel

Complaints may be made to any of these individuals. If an employee needs assistance with their complaint, or prefers to make a complaint in person, they should contact the Chief Administration Officer. All known details of the incident or incidents, names of individuals involved, and names of any witnesses should be provided. A complaint should be in writing, but it is not mandatory.

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

The Federal Equal Employment Opportunity Commission and the California Department of Civil Rights (formerly known as Fair Employment and Housing) investigate and prosecute complaints of prohibited harassment, discrimination and retaliation in employment. Employees who think they have been harassed or discriminated against or retaliated against for resisting, complaining or participating in an investigation, may file a complaint with the appropriate agency. The nearest office can be found by visiting the agency websites at [www.calcivilrights.ca.gov](http://www.calcivilrights.ca.gov) and [www.eeoc.gov](http://www.eeoc.gov).

Supervisors must refer all complaints involving harassment, discrimination, retaliation or other prohibited conduct to the Chief Administration Officer of the District, so the District can try to resolve the complaint.

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

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

Complaints will be:

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

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

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

## Reasonable Accommodation

Absent the imposition of undue hardship to the District or its operations or the existence of a direct threat to either the health and safety of the employee requesting the accommodation or others, the District will make reasonable employment related accommodations to the following applicants or employees:

- Qualified individual with disabilities to enable them to perform essential job functions;
- Employees with conditions related to pregnancy, childbirth, or a related medical condition requested and with the advice of their health care provider;
- Employees who are victims of a qualifying act of violence; and
- Employees who request reasonable accommodation to address a conflict between religious belief or observance and any employment requirement.

Any job applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact the Chief Administration Officer and discuss the need for an accommodation. The District will engage in an interactive process with the employee to identify possible accommodations, if any, that will help the applicant or employee perform the job. If the accommodation is reasonable and will not impose an undue hardship, the District will make the accommodation.



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

### Whistleblower Protection

The District prohibits all the following:

- Taking any retaliatory adverse employment action against an employee because the employee has disclosed or is believed to have disclosed information of suspected illegal activity, unsafe workplace conditions, or a violation of state or federal law to any government or regulatory agency, including internally to the District;
- Preventing an employee from disclosing information to a government agency, including internally to the District, if the employee has reasonable cause to believe that the information discloses a violation suspected illegal activity, unsafe workplace conditions, a violation of state or federal law, or noncompliance with a local, state, or federal rule or regulation;
- Retaliating against an employee for refusing to participate in any activity that would result in a violation of state or federal law, or noncompliance with a local, state, or federal rule or regulation; and
- Retaliating against an employee because the employee's family member has or is perceived to have engaged in any of the protected activities listed above.

This Policy governs and protects District officials, officers, employees, or applicants for employment. Any applicant, employee, or temporary employee who feels they have been retaliated against in violation of this policy should immediately report the conduct in accordance with the Complaint Process referenced above in the District's policy against discrimination, harassment, or retaliation so that the complaint can be resolved. Supervisors and managers have the same responsibilities as defined in this policy.

# Hiring

## Employment Classifications

### Regular Employees

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

#### *FULL-TIME EMPLOYEES*

Regular full-time employees are those who are scheduled for and do work 40 hours per week. Regular full-time employees are eligible for most employee benefits described in this handbook. Benefit eligibility may depend on length of continuous service. Benefit eligibility requirements may also be imposed by the plans themselves or by law.

#### *PART-TIME EMPLOYEES*

Regular part-time employees are those who are scheduled for and do work fewer than 40 hours per week. Part-time employees are eligible for prorated holiday benefits. Regular part-time employees are eligible for most employee benefits described in this handbook. Benefit eligibility may depend on length of continuous service. Benefit eligibility requirements may also be imposed by the plans themselves or by law.

#### *TEMPORARY EMPLOYEES*

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

### Inactive Status

Employees who are on any type of leave of absence, work-related or non-work-related, that exceeds any protected state, federal or local leave of absence will be placed on inactive status.

## FLSA Classifications

Federal and state laws exempt certain employees from wage and hour requirements, including overtime pay and meal and rest break requirements. Employees should refer to job classification/description for specific duties and responsibilities.

### Exempt Classification

Exempt employees must:

1. Be primarily engaged in executive, administrative or professional duties;
2. Regularly and customarily exercise discretion and independent judgment at work; and
3. Earn a salary equivalent to at least twice the state minimum wage for full-time (40 hours/week) work.

### Non-Exempt Classification

All other employees generally fall under the non-exempt category. All non-exempt employees are covered by the state and federal wage and hour laws.

## Job Duties

During the introductory period, the supervisor will explain job responsibilities and the expected performance standards. Job responsibilities may change at any time during employment. Employees may be asked to work on special projects, or to assist with other work necessary or important to the operation of their department or the District. An employee's cooperation and assistance in performing such additional work is expected.

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

## New Hires

The first 180 days of continuous employment at the District is considered an introductory period. During this time, employees will learn their responsibilities, get acquainted with co-workers and determine whether or not they are happy with their job. Supervisors will closely monitor job performance.

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

## Leaves of Absences

### Bereavement Leave

All employees who have been employed by the District for at least 30 days are entitled to five (5) days of paid bereavement leave in the event of the death of a “family member”. A “family member” means a spouse, domestic partner, child, stepchild, parent, grandparent, grandchild, sibling, parent-in-law, sibling-in-law, son or daughter-in-law.

An employee may use vacation, personal leave, accrued and available sick leave, or compensatory time off to provide for their compensation during any bereavement leave more than five (5) days.

An employee who utilizes bereavement leave must notify their supervisor that they intend to use bereavement leave. Employees may use this leave on a non-consecutive basis in the three (3) months that follow that date of death of the “family member”.

### Victims of Violence and Accommodation

If an employee is the victim of domestic violence, sexual assault or stalking, they are eligible for unpaid leave. While the leave is generally unpaid, employees can use their paid sick time under California’s Healthy Workplaces, Healthy Families Act for the purposes described below.

An employee may request leave if they are involved in a legal action, such as obtaining restraining orders, or appearing in court to obtain relief to ensure their or their child's health, safety, or welfare. Please contact the Chief Administration Officer to provide reasonable advance notice of the need for leave, unless advance notice is not feasible.

If an employee needs a reasonable accommodation for their safety at work, they should contact the Chief Administration Officer. If they are requesting a reasonable accommodation, they will need to submit a written statement signed by themselves, or by an individual acting on their behalf, certifying that the accommodation is for the purpose of their safety at work.

For reasonable accommodation requests, the District will also require certification demonstrating that they are the victim of domestic violence, sexual assault or stalking. The District may request recertification every six months. Please notify the District if an approved accommodation is no longer needed.

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

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

## Victims of Violence Leave for Treatment

Employees who are victims of domestic violence, sexual assault or stalking are eligible for unpaid leave. Although the leave is generally unpaid, employees can use their paid sick time under California's Healthy Workplaces, Healthy Families Act for the purposes described below.

An employee may request leave for any of the following purposes:

- To seek medical attention for injuries caused by domestic violence, sexual assault or stalking;
- To obtain services from a domestic violence shelter, program or rape crisis center as a result of domestic violence, sexual assault or stalking;
- To obtain psychological counseling related to experiencing domestic violence, sexual assault or stalking;
- To participate in safety planning and take other actions to increase safety from future domestic violence, sexual assault or stalking including temporary or permanent relocation.

Please contact the Chief Administration Officer to provide reasonable advance notice of the need for leave unless advance notice is not feasible.

The District will, to the extent allowed by law, maintain the confidentiality of an employee requesting leave under this provision.

## Family and Medical Care Leaves

In accordance with the Family and Medical Care Act (FMLA) and the California Family Rights Act (CFRA), employees are provided up to 12 workweeks of unpaid family/medical leave within a 12-month period, or 26 workweeks to care for a covered military service member proportional to the employee's average hours worked. The Family and Medical Leave Act (FMLA)/California Family Rights Act (CFRA) Leave policy may be found at [Appendix 2](#).

## Jury Duty and Witness Leave

The District encourages employees to serve on jury duty when called. Non-exempt employees who have completed their introductory periods will receive full pay while serving up to ten (10) days of jury duty. Exempt employees will receive full salary unless they are absent for a full week and perform no work. Employees should notify their supervisor of the need for time off for jury duty as soon as a notice or summons from the court is received. Employees may be requested to provide written verification from the court clerk of performance of jury service. If work time remains before or after any day of jury selection or jury duty, employees are expected to start or return to work for the remainder of their work schedule.

### Fees Paid by the Court

Employees may retain any mileage allowance or other fee paid by the court for jury services but would not be eligible for mileage reimbursement from the District. Jury Duty pay should

## Employee Handbook

be declined for days which are paid by the District.

### Military Leave

Military leave will be granted according to federal and state law. Employees who serve in the military and take military leave should provide the Chief Administration Officer with a copy of the military orders specifying the dates, site, and purpose of the activity or mission and for information about their benefits and rights.

Within the limits of the order, the Chief Administration Officer may determine when the leave is to be taken and may modify the employee's work schedule to accommodate the leave request. An employee is entitled to reinstatement upon completion of military service, provided they return or apply for reinstatement within the time allowed by law.

### Personal Leave

A personal leave of absence without pay may be granted at the discretion of the Chief Executive Officer. Requests for personal leave should be limited to unusual circumstances requiring an absence of longer than two (2) weeks. Approved personal absences of shorter duration are not normally treated as leaves, but rather as excused absences without pay.

### Pregnancy Disability Leave

Employees who are disabled because of pregnancy, childbirth or related medical conditions are provided an unpaid leave of absence for the period of disability up to a maximum of 17 1/3 weeks per pregnancy. Employees are entitled to pregnancy disability leave on a pro-rated basis proportional to an employee's average hours worked. Time off needed for prenatal care, severe morning sickness, doctor ordered bed rest, childbirth and recovery from childbirth will all be counted as pregnancy disability leave. The Pregnancy Disability Leave (PDL) policy can be found in [Appendix 3](#).

### School Appearances Involving Suspension

An employee who is the parent or guardian of a child in kindergarten through grade 12 may take time off to go to the child's school in response to a request from the child's school if summoned to the school if the child has committed any obscene act; habitually used profanity or vulgarity; disrupted school activities; or otherwise defied the valid authority of school personnel. The employee should alert their supervisor as soon as possible before leaving work.

### School or Licensed Day Care Activity Leave

Any employee who is a parent, guardian, stepparent, foster parent, grandparent, or person who stands in loco parentis to one or more children who are in kindergarten or grades 1 through 12, or who are in a licensed child care facility, is permitted up to 40 hours each school year, not to exceed eight hours in any calendar month of the school year, to: participate in activities of their child's school or licensed child care facility; find, enroll, or reenroll a child in a school or with a licensed child care provider; or to pick up a child due to a child care provider or school emergency. The employee must provide reasonable advance notice to their supervisor of the planned absence.



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The leave is unpaid unless the employee uses vacation, personal leave or compensatory time off. The employee must provide documentation from the school or licensed childcare facility as verification that the employee participated in school or childcare facility activities on a specific date and at a particular time. If both parents, guardians or grandparents having custody work for the District at the same District work site, only the first parent requesting will be entitled to leave under this provision.

## Sick Leave

Under the California Healthy Workplaces, Healthy Families Act employees are entitled to paid leave from work to protect against loss of earnings due to illness. Supervisors have the principal responsibility for the proper and consistent application of the sick leave policy. Abuse of sick leave impacts the workplace.

Employees cannot be discriminated or retaliated against for requesting or using accrued paid sick time. Questions about paid sick leave should be directed to the Chief Administration Officer.

### Eligible Employees

All eligible employees who have worked in California for the same employer for 30 or more days within a year from the start of their employment will be entitled to paid sick time. However, employees must satisfy a 90-day employment period before they are eligible to take paid sick time.

## Accrual and Carryover for Different Categories of Employees

All employees will accrue sick time based on the hours worked per paid period.

- Regular full-time employees accrue sick time at the rate of 3.08 hours of paid sick time per pay period.
- Regular part-time employees accrue sick time at a proportional rate based on the number of hours worked. As an example:
  - For 30-hour per week positions, employees working a total of 60 hours in a pay period would accrue 2.31 hours of paid sick time during the pay period.
  - For 20-hour per week positions, employees working a total of 40 hours in a pay period would accrue 1.54 hours of paid sick time during the pay period.

Exempt employees are presumed to work 40 hours per workweek for purposes of sick time accrual.

The District does not pay employees for unused paid sick leave, however if an employee is rehired within 12 months, the employee can have their unused sick leave reinstated.

Employees may accrue a maximum of 240 hours of paid sick time. After an employee has reached this maximum amount, no additional paid sick time will be earned until some or all of your accrued paid sick time is used.

## Qualifying Reasons for Paid Sick Leave

Paid sick time can be used for the following reasons:

- Diagnosis, care or treatment of an existing health condition for an employee or any of the following family members of the employee: a child of any age or dependency status; a parent; a parent-in-law; a spouse; a registered domestic partner; a grandparent; a grandchild; or a sibling; or
- Diagnosis, care or treatment of an existing health condition of, or preventative care for a “designated person” (a “designated person” for a victim of violence is the person the employee identifies at the time they request sick leave); or
- For an employee who is a victim of domestic violence, sexual assault, stalking, or other crime for the employee to engage in any of the following activities: to obtain or attempt to obtain any relief, including but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the victim or their child.
- In addition, an employee who is a victim (of a violent or serious felony crime, or theft or embezzlement), an immediate family member of a victim, a registered domestic partner of a victim, or the child of a registered domestic partner of a victim can use paid sick leave to attend judicial proceedings related to that crime.

## Use of Paid Sick Leave

If the need for paid sick leave is foreseeable, an employee must provide written or oral advance notification to the Chief Administration Officer. If the need for paid sick leave is not foreseeable, notice should be provided to the Chief Administration Officer as soon as practical. If the employee is required to be absent on sick leave for more than one day, the employee must keep the Chief Administrative Officer informed each day as to the date the employee expects to return to work and the purpose of the leave. Failure to request sick leave as required by this policy without good reason, may result in the employee being treated as absent without leave.

Use of paid sick time may run concurrently with other leaves under local, state or federal law. Accrued and available sick leave may be used to cover waiting periods for disability insurance or paid family leave benefits with the State of California.

An employee may use accrued sick leave in 15-minute increments beginning on the 90<sup>th</sup> day after the first day of employment with the District, subject to the limits and request provisions in this policy.

## Use of Paid Sick Leave Before Unpaid Leave

If an employee takes an unpaid leave of absence, there are circumstances where they may be required to use their accrued and unused sick leave before taking unpaid leave or having unpaid absences. In other circumstances, they can choose to use sick leave before taking unpaid leave or having unpaid absences, but it is not required. It will depend on the type of leave they are taking and/or any applicable federal and state leave requirements. Please contact the Chief Administration Officer to discuss coordination of your benefits.

An employee’s use of paid sick leave provided according to the Labor Code is protected leave.



## Time Off for Voting

Employees who do not have sufficient time outside of working hours to vote in an official statewide election may take off enough working time to vote, including up to two hours off without loss of pay. This time should be taken at the beginning or the end of the regular working shift, whichever allows for more free time for voting and the least time off work. When possible, an employee requesting time off to vote shall give their supervisor at least two working days' notice.

## Vacation

The District believes that vacation is important to the health and well-being of employees and encourages all employees to utilize their vacation benefit to balance their work and personal lives. The purpose of offering paid time off is to provide employees with flexibility from work to be used for such needs as vacation, personal or family business, appointments, volunteerism, and other activities of the employee's choice. The District's goal is to provide time for personal rejuvenation and to reduce unscheduled absences.

## Vacation Accrual from First Day

Regular full-time (FT) employees are entitled to accrue:

<u>Consecutive FT Year of Service</u>	<u>Received per Pay Period</u>	<u>Received per Year</u>
• 1-4 years	3.08 hours	80 hours
• 5-9 years	4.62 hours	120 hours
• 10 years or more	6.16 hours	160 hours

Regular part-time (PT) employees whose job descriptions list minimum 30-hour work weeks are entitled to accrue:

<u>Consecutive PT Year of Service</u>	<u>Received per Pay Period</u>	<u>Received per Year</u>
• 1-4 years	2.31 hours	60 hours
• 5-9 years	3.47 hours	90 hours
• 10 years or more	4.62 hours	120 hours

Regular part-time employees whose job descriptions list minimum 20-hour work weeks are entitled to accrue:

<u>Consecutive PT Year of Service</u>	<u>Received per Pay Period</u>	<u>Received per Year</u>
• 1-4 years	1.54 hours	40 hours
• 5-9 years	2.31 hours	60 hours
• 10 years or more	3.08 hours	80 hours

Active service begins on the first day of work and continues thereafter unless broken by an absence without pay, a leave of absence, or termination of employment. Temporary employees do not accrue paid vacation.

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Vacation can accrue up to a maximum of 1.5 times the employee's accrual schedule. No additional vacation will be earned until accrued vacation time falls below the employee's vacation accrual threshold.

Employees become eligible to take accrued vacation after 90 days of active service as work schedules permit.

Vacations are scheduled to provide adequate coverage of job responsibilities and staffing requirements. Every effort will be made to permit employees to take their vacations at the times they wish. However, Desert Healthcare District's operating needs will take priority. Accordingly, vacation schedules must be coordinated with and approved by a supervisor in advance. Employees must submit a request in writing for vacation well in advance of the dates desired.

When an employee's employment relationship with the District ends, they will be paid for accrued unused vacation hours.

## Holidays

The Desert Healthcare District observes the following paid holidays:

- January 1 (New Year's Day)
- Martin Luther King Jr.'s Birthday
- Presidents' Day
- Memorial Day
- Juneteenth
- July 4th (Independence Day)
- Labor Day
- Veteran's Day
- Thanksgiving Day and the Friday after
- Christmas Eve
- Christmas Day
- Floating Personal Day

When a holiday falls on a Saturday or Sunday, it is usually observed on the preceding Friday or the following Monday. However, the District may grant another day off in lieu of closing. Holiday observance will be announced in advance.

Holidays that are paid but not worked do not count for overtime purposes. An employee required to work on a paid scheduled holiday will receive straight time.

Non-exempt employees will be eligible for up to 9 hours per holiday. The date which the holiday falls on or is observed on and the position type will determine how many hours will be paid.

Regular full-time employees:

Holiday on or observed on a Monday through Thursday will be eligible for 9 hours of pay.  
Holiday on or observed on a Friday will be eligible for 8 hours of pay.

Regular full-time employees whose job descriptions list minimum 30-hour work weeks:



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Holiday on or observed on a Monday through Thursday will be eligible for 6.75 hours of pay.  
Holiday on or observed on a Friday will be eligible for 6 hours of pay.

Regular part-time employees whose job descriptions list minimum 20-hour work weeks:

Holiday on or observed on a Monday through Thursday will be eligible for 4.5 hours of pay.  
Holiday on or observed on a Friday will be eligible for 4 hours of pay.

## Victims of Violence

Any employee or family member who has experienced a Qualifying Act of Violence is entitled to time off from work to obtain relief from a court, including obtaining a restraining order to protect the employee and their children's health, safety or welfare. A Qualifying Act of Violence means any of the following regardless of whether anyone is arrested for, prosecuted for, or convicted of committing any crime:

- Domestic violence;
- Sexual assault;
- Stalking; or
- An act, conduct, or pattern of conduct that includes any of the following:
  - An individual causing bodily injury or death to another individual;
  - An individual exhibiting, drawing, brandishing, or using a firearm, or other dangerous weapon, with respect to another individual; or
  - An individual using or making a reasonably perceived or actual threat to use, force against another individual to cause physical injury or death.

An employee may use accrued paid sick time, vacation time, or unpaid time off that is otherwise available for leave. Even if the employee does not have paid leave, they may still be entitled to take time off .

An employee who is the victim of a Qualifying Act of Violence should provide reasonable notice before taking time off. If reasonable notice is not possible, the employee should provide documentation within a reasonable time after the absence.

Proof of absence may include a police report, a court order, a document from a licensed medical professional, a victim advocate, a licensed health care provider, or counselor that demonstrate that the employee was under treatment for domestic violence related trauma, or a written statement signed by the employee or an individual action on the employee' behalf that certifies the absence was for an authorized purpose.

For more information regarding this leave (including whether an employee is covered, when and what type of documentation is required and which type of paid time off can be used), please contact the Chief Administration Officer.

## Volunteer Civil Service Personnel

No employee shall be disciplined for taking time off to perform emergency duty as a volunteer firefighter, peace officer, or emergency rescue personnel. Employees who perform emergency duty

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as a volunteer firefighter, reserve peace officer, or emergency rescue personnel may also take up to a total of fourteen days' unpaid leave time per calendar year to engage in required fire, law enforcement or emergency rescue training.

Employees should inform their supervisor that they may have to take time off for emergency duty or emergency duty training as soon as possible.

# Benefits

## Benefits Overview

The Desert Healthcare District is committed to providing the following benefits for eligible employees. Benefit eligibility may be dependent upon the employee classification (full-time versus part-time, for example) and on length of continuous employment at the District. Benefit eligibility requirements may also be imposed by the plans themselves.

For information regarding employee benefits and to answer any questions, employees should contact the Chief Administration Officer.

The District reserves the right to modify, amend or terminate benefits and to modify or amend benefit eligibility requirements at any time and for any reason, subject to any legal restrictions.

The District offers the following employee benefits; with the exception of participation in the retirement plan, employees are eligible for coverage effective the 1<sup>st</sup> day of the month following the date of hire. Coverage in the plans is contingent on timely completion and submission of enrollment materials.

Health Insurance

Dental Insurance

Vision Insurance

Short-term Disability Insurance

Long-term Disability Insurance

Life Insurance

Out-of-Pocket Expense Reimbursement- dollar threshold determined by the District

Retirement Plan – Eligibility Date – 1<sup>st</sup> of the month 6 months following Hire Date

## Health Benefits Extension (COBRA)

Unless a health benefits extension is covered by state or federal law, benefits will terminate according to the District's insurance carrier's policy. Employees on inactive status may be eligible under the Consolidated Omnibus Budget Reconciliation Act (COBRA) or the California Continuation Benefits Replacement Act (Cal-COBRA) to elect to continue their health care coverage at the employee's expense.

Contact the Chief Administration Officer for more information.

## Retirement Plan

The District offers all regular employees the ability to participate in its 457(b) and 401(a) retirement programs which are regulated by Federal Law. Employees may enroll in the plan once they have completed six (6) months of service and are at least 21 years of age.

Pursuant to the plan, the District contributes a Dollar-for-Dollar Match for the first 4% of employee salary deferral - (Level Two) and a Two Dollar-for-Dollar Match for the next 2% of employee salary

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deferral - (Level One). Specifics of the plan are available in the Summary Plan for the retirement plans.

### Paid Family Leave

Employees may be eligible for Paid Family Leave (PFL) wage replacement benefits, which are funded through payroll deductions and coordinated through the Employment Development Department (EDD). PFL provides partial pay for up to eight weeks to care for a seriously ill family member including a parent, parent-in-law, child, spouse, registered domestic partner, grandparent, grandchild, or sibling, to bond with a newborn, foster child or newly adopted child, or for a qualifying military event. The PFL program does not provide employees with a right to a leave of absence; it is limited to a state-mandated wage replacement benefit.

### Professional Development

Some employees may need to attend training programs, seminars, conferences, lectures, meetings, or other outside activities for the benefit of the District or the individual employees. Attendance at such activities, whether required by the District or requested by individual employees, requires the written approval of the Chief Executive Officer. To obtain approval, any employee wishing to attend an activity must submit a written request detailing all relevant information, including date, hours, location, cost, expenses, and the nature, purpose, and justification for attendance.

Attendance at any such event is subject to the following policies on reimbursement and compensation. For attendance at events required or authorized by the District, customary and reasonable expenses will be reimbursed upon submission of proper receipts. Acceptable expenses generally include registration fees, materials, meals, transportation, and parking. Reimbursement policies regarding these expenses should be discussed with the Chief Administration Officer in advance.

Employee attendance at authorized outside activities will be considered hours worked for non-exempt employees and will be compensated in accordance with normal payroll practices. Additional information can be found in Policy #BOD-13.

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

### Tuition Reimbursement Program

The District is proud to offer a Tuition Reimbursement Program to help current eligible employees further their education. The program's intent is to expand the employee's knowledge, skills and abilities, and thereby, enhance job performance, value to the organization, and access to job/career opportunities.

The Tuition Reimbursement Program is open only to regular full-time employees in good standing who have completed one (1) year of employment. Coursework must be pre-approved and must be related to the employee's current job, or a future job in support of the District's mission and objectives. Courses must be provided by an accredited trade school or institution of higher

## Employee Handbook

learning (including on-line programs). Courses must be taken on the employee's time or during approved time-off.

The District Board establishes an annual allocation for this benefit; benefits limits will be adjusted for employees who receive educational benefits through a federal or state Veteran's educational benefit program, for a benefit total not to exceed the annual benefit allocation. Any amounts paid to an employee in excess of IRS limits will be reported as additional compensation.

Eligible expenses include tuition, registration fees, textbooks, and laboratory fees if any. Ineligible expenses include parking, travel, meals, and other incidentals. Graded courses must be completed with a grade of "B" or better; non-graded courses must receive a "Pass" designation. Courses that are audited or marked incomplete are not eligible for reimbursement. A copy of the final transcript must be provided for reimbursement.

## Workers' Compensation

The District, in accordance with state law, provides insurance coverage for employees in case of work-related injury or illness. The workers' compensation benefits provided to injured employees may include:

- Medical care;
- Cash benefits, tax free, to replace lost wages; and
- Assistance to help qualified injured employees return to suitable employment.

To ensure that an employee receives any workers' compensation benefits to which they may be entitled, they need to:

- Immediately report any work-related injury to their supervisor;
- Seek medical treatment and follow-up care if required;
- Complete a written Employee's Claim for Workers' Compensation Benefits (DWC Form 1) and return it to Chief Administration Officer; and
- Provide the District with a certification from their health care provider regarding the need for workers' compensation disability leave, as well as your eventual ability to return to work from the leave.

Upon submission of a medical certification that an employee is able to return to work after a workers' compensation leave, the employee under most circumstances will be reinstated to their same position held at the time the leave began, or to an equivalent position, if available. An employee returning from a workers' compensation leave has no greater right to reinstatement than if the employee had been continuously employed rather than on leave.

An employee's return depends on their qualifications for any existing openings. If, after returning from a workers' compensation disability leave, an employee is unable to perform the essential functions of their job because of a physical or mental disability, the District's obligations to the employee may include reasonable accommodation, as governed by the Americans with Disabilities Act (ADA), or the California Fair Employment and Housing Act (FEHA).

The law requires the District to notify the workers' compensation insurance District of any concerns of false or fraudulent claims.

## Paid Sick Leave and Workers' Compensation Benefits

Paid sick leave is a benefit that also covers absences for work-related illness or injury. Employees who have a work-related illness or injury are covered by workers' compensation insurance. However, workers' compensation benefits usually do not cover absences for medical treatment. An employee who reports a work-related illness or injury will be sent for medical treatment, if treatment is necessary. Regular wages will be paid for the time spent seeking initial medical treatment.

Any further medical treatment will be under the direction of the health care provider. Any absences from work for follow-up treatment, physical therapy or other prescribed appointments will not be paid as time worked. Accrued and unused sick leave can be substituted for any time that would otherwise be unpaid.

An employee who does not have accrued, paid sick leave, or has used all available sick leave may choose to substitute vacation/paid time off for further absences from worked, related to their illness or injury.

# Management

## Employee Property

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

## Nepotism / Employment of Relatives

Nepotism is an employee's use of influence or power to hire, transfer, or promote an applicant or employee because of a personal relationship. A personal relationship is defined as persons related by blood, adoption, current or former marriage, domestic partnership, or cohabitation. The District defines "relatives" as a spouse, registered domestic partner, child, stepchild, brother, sister, half-brother, half-sister, aunt, uncle, niece, nephew, parent, grandparent, or in-laws of those enumerated by marriage or domestic partnership.

To avoid conflicts of interest and to promote safety, security, supervision and morale, the District is committed to merit-based hiring and the supervision of employees and nepotism is contrary to this policy. The Supervision of an employee with a relationship (as listed above) to a direct line supervisor is not permitted. The Chief Executive Officer of the District shall have authority to address and take appropriate action (which may include termination of employment), where this policy has been violated.

Relatives of present employees or relatives of the District's current Board of Directors are not eligible for employment with Desert Healthcare District.

## Names and Addresses Policy

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

## Open-Door Policy

Suggestions for improving the operations of the District are always welcome. At some time, an employee may have a complaint, suggestion, or question about their job, working conditions, or the treatment they are receiving. All complaints, questions, and suggestions are important to the District.

An employee with a complaint, suggestion or question, should speak with their immediate supervisor as soon as possible. If the employee is not comfortable speaking to their immediate supervisor, they should bring the issue to the Chief Administration Officer.

If an employee has spoken with their immediate supervisor and the problem persists, the employee may present it to the Chief Administration Officer, who will investigate and provide a solution or explanation.

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If the problem is not resolved, the employee may also present the problem to the Chief Executive Officer, who will attempt to reach a resolution.

If the Chief Executive Officer is unable to resolve the issue, the employee may express their concerns to the District General Counsel; the General Counsel will attempt to reach a final resolution.

While a written complaint will assist in investigating an employee's concerns, it is not required that the complaint be in writing. If assistance is required with the complaint, or if an employee prefers to make a complaint in person, they should contact their supervisor.

This procedure, which we believe is important for both employees and the District, cannot guarantee that every problem will be satisfactorily resolved. However, the District values employees' observations and they should feel free to raise issues of concern without the fear of retaliation.

## Performance Evaluations

Each employee will receive periodic performance reviews conducted by their supervisor. The first performance evaluation will take place after the completion of the 180-day introductory period. Subsequent performance evaluations will be conducted per the District's Compensation policy #OP-12. The frequency of performance evaluations may vary depending upon length of service, job position, past performance, changes in job duties, or recurring performance problems.

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

An employee who has an issue with any matter relating to the content of the performance evaluation may comment on the evaluation with a written statement that will be placed with the evaluation in the employee's personnel file.

## Personnel Records

Current or former employees have a right to inspect or receive a copy of the personnel records that the District maintains relating to work performance or to any complaint concerning the employee. Certain documents may be excluded or redacted from a personnel file by law, and there are legal limitations on the number of requests that can be made.

Any request to inspect or copy personnel records must be made in writing to the Chief Administration Officer. A form for making such a written request is available from the Chief Administration Officer.

A current employee may inspect their own personnel file, at reasonable times and at reasonable intervals, within 30 days of a written request. A former employee is entitled to inspect their personnel records one time per year. A current or former employee and/or their representative, who wishes to review their personnel file should make a written request to the Chief Administration

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Officer.

An employee may designate a representative to conduct the inspection of the records or receive a copy of the records. However, any designated representative must be authorized by the employee in writing to inspect or receive a copy of the records. The District may take reasonable steps to verify the identity of any representative an employee has designated in writing to inspect or receive a copy of their personnel records.

The personnel records may be made available to an employee either at the place where they work or at a mutually agreeable location (with no loss of compensation for going to that location to inspect or copy the records). The records will be made available no later than 30 calendar days from the date the District receives a written request to inspect or copy the personnel records (unless the employee/representative and Desert Healthcare District mutually agree in writing to a date beyond 30 calendar days but no later than 35 calendar days from receipt of the written request). No person who inspects a personnel file is permitted to add or remove any document or other item to or from the personnel file.

If an employee requests a copy of the contents of their file, you will be charged the actual cost of copying.

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

## Remote Work

Working remotely, also referred to as “telecommuting,” provides employees with an opportunity to work from an alternative work environment instead of in the primary location of the District. Working remotely must be pre-approved by a supervisor and cannot be initiated without a Remote Workers Agreement, unless authorized to do so by the Chief Executive Officer.

The District retains the right in its sole discretion to designate positions that are appropriate for working remote and approve employees for working remotely. Working remotely must be approved by the employee’s supervisor. Working remotely does not change the conditions of employment or required compliance with all District policies and procedures.

The District reserves the right to change or terminate the Remote Workers Agreement at any time, without cause or advance notice. The ability to work under a Remote Workers Agreement rests in the sole discretion of the District.

Working remotely is a privilege and may not be appropriate for all employees. An employee who wishes to request a Remote Workers Agreement should contact their supervisor and ask for a Remote Work Request form.

## Remote Work Safety

Remote workers are solely responsible for ensuring the safety of their alternative work environment. However, because the District is legally obligated to provide its employees with

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a workplace that is free from hazards that might cause serious harm or injury, the District reserves the right to periodically inspect a Remote Worker's home workspace. Any such inspection will be preceded by advance notice, and an appointment will be scheduled.

Remote Workers are protected by the District's workers' compensation insurance. As such, Remote Workers are required to immediately report any injuries that occur while working. The Remote Worker is liable for any injuries that occur to third parties at or around the Remote Worker's alternative work environment.

### Remote Work Plan

All Remote Workers are required to sign a Remote Workers Agreement with their supervisor that outlines the Remote Worker's days and work hours (as applicable); equipment the Remote Worker will need; how the Remote Worker will communicate with the District; use of support or secretarial staff; and other appropriate information.

The District has authorized all employees to immediately assume remote work in the event of a natural disaster, pandemic, or other emergency recognized by the District.

### Hours of Work for Remote Workers

Unless otherwise agreed in the Remote Workers Agreement, hours and days of work will not change. Employees agree to apply themselves during work hours.

Nonexempt employees agree not to work outside of scheduled hours without advance approval; this includes such activities as checking and responding to emails. Any work outside of a scheduled shift must be reported to a supervisor.

Working remotely is not intended as a substitute for childcare or care for another adult. If a child or adult needs care during work time, another responsible individual is expected to be present.

### Attendance at Meetings

Remote workers are expected to attend all required meetings.

### Costs Associated with Remote Work

The District shall not incur additional costs due to a Remote Workers Agreement. The Remote Workers Agreement will specify any costs the District will cover.

## Workplace Privacy - Audio/Video Recordings

Due to concerns regarding the potential for invasion of privacy, sexual or other harassment, and protection of proprietary or confidential information, employees may not use any audio or video recording devices while on working time. They also may not use any audio or video recordings in work areas that the District has identified as confidential, secure or private, unless they are engaged



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in protected activity related to improving the terms and conditions of their employment, such as documenting health and safety issues.

# District Property

## Employer Property

Furniture, desks, computers, cell phones, data processing equipment/software, and vehicles are District property and must be maintained according to District rules and regulations. They must be kept clean and are to be used only for work-related purposes. The District reserves the right to inspect all District property including computer or phone data or messages to ensure compliance with its rules and regulations, without notice to the employee and at any time, not necessarily in the employee's presence. Prior authorization must be obtained before any District property may be removed from the premises.

District voicemail and/or electronic mail (email) including texting and mobile email are to be used for business purposes. The District reserves the right to monitor voicemail messages, email messages, and texts to ensure compliance with this rule, without notice to the employee and at any time, not necessarily in the employee's presence.

The District may periodically need to assign and/or change "passwords" and personal codes for:

- email
- voicemail
- cell phones
- computers and tablets
- District's social media accounts

These communication technologies and related storage media and databases are to be used only for District business, and they remain the property of the District.

The District reserves the right to keep a record of all passwords and codes used and/or may be able to override any such password system. Messages on the District voicemail and email systems are subject to the same District policies against discrimination and harassment as are any workplace communications. Offensive, harassing or discriminatory content in such messages will not be tolerated.

For security reasons, employees should not leave personal belongings of value in the workplace. Terminated employees should remove any personal items at the time they leave Desert Healthcare District. Personal items left in the workplace are subject to disposal if not claimed at the time of an employee's termination.

## Housekeeping

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

## Off-Duty Use of Facilities

Employees are prohibited from remaining on the District premises or making use of District facilities while not on duty. Employees are expressly prohibited from using District facilities, District property, or District equipment for personal use. This policy is not intended to limit the ability of employees to use the District's email systems to communicate with other employees regarding the terms and conditions of their employment during non-working times, including such topics as wages, job performance, workload, supervisors or staffing.

## Parking

Employees may park their vehicles in designated areas, if space permits. If space is unavailable, employees must park in the parking garage. Employees will be asked to provide their vehicle information and provided with a parking sticker to be placed in the lower left-hand corner of the vehicle's windshield. Employees are encouraged to only use the north-side patient parking for short term needs. Employees may not use parking areas specifically designated for customers or vendors, District vehicles. The District is not responsible for any loss or damage to employee vehicles or contents while parked on District property.

## Prohibiting Personal Use of District Cell Phone

Cell phones (including handheld devices and smart phones such as iPhones) may be provided to some employees to assist them in performing their job. Cell phones are District property. Data (including web browsing), messages (including voicemail, email, and text messaging), and other stored electronic information is subject to monitoring and employees do not have an expectation of privacy in the use of this District property.

The District may require an employee to assign a password to their District cell phone to prevent unauthorized access. This password does not affect the District's ownership of the cell phone or ability to monitor the information.

District cell phones must not be used in any manner that violates any other District policy, including safety policies, confidentiality policies, electronic and social media policies, and policies against discrimination and harassment.

Employees are prohibited from using District-issued cell phones and any other District property to conduct personal business. Employees who are provided a District cell phone may use the phone for personal reasons only in the case of an emergency. Other personal use is prohibited.

## Smoking

Smoking is prohibited at this workplace. The smoking prohibition applies to all smoking devices, including, but not limited to, the use of electronic smoking devices, such as electronic cigarettes, pipes, hookahs, and vaping devices.

## Solicitation and Distribution of Literature

To ensure efficient operation of the District's business and to prevent disruption to employees, the District has established control of solicitations and distribution of literature on District property. The District has enacted rules applicable to all employees governing solicitation, distribution of written material, and entry onto the premises and work areas. All employees are expected to comply strictly with these rules. Any employee who is in doubt concerning the application of these rules should consult with their supervisor.

No employee can solicit or promote support for any cause or organization during their working time or during the working time of the employee or employees at whom such activity is directed. No employee may distribute or circulate any written or printed material in work areas at any time, or during their working time or during the working time of the employee or employees at whom such activity is directed.

Under no circumstances will non-employees be permitted to solicit or to distribute written material for any purpose on District property.

# Employee Conduct

## Business Conduct and Ethics

No employee may accept a gift or gratuity from any customer, vendor, supplier, or other person doing business with the District because doing so may give the appearance of influencing business decisions, transactions or service. Expenses paid by such persons for business meals or trips with, should be discussed with the District in advance.

## Conducting Personal Business

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

## Confidential Information

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

During work, an employee may have access to trade secrets or similarly protected proprietary or confidential information regarding the District business (such as research and development, business plans or strategies). Each employee has a responsibility to prevent revealing or divulging any such information unless it is necessary for the performance of their duties or as required by law.

Access to, or disclosure of, confidential information should be on a "need-to-know" basis and must be authorized by the employee's supervisor. Any breach of this policy will not be tolerated, and legal action may be taken by the District. Additional information is available in Policy #BOD-16.

## Conflicts of Interest

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

An employee involved in any of the types of relationships or situations described in this policy should immediately and fully disclose the relevant circumstances to their immediate supervisor, or any other appropriate supervisor, for a determination about whether an actual conflict exists. If an actual conflict is determined, the District may take whatever corrective action appears appropriate according to the circumstances. Failure to disclose facts shall constitute grounds for disciplinary action. Additional information is available in Policy #BOD-15.

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### Dress Codes and Other Personal Standards

Employees are expected to wear clothing appropriate for the nature of District business and the type of work performed. Employees should avoid clothing that can create a safety hazard.

The District observes a casual dress day on Fridays. Some employees who have customer contact may not be permitted to participate in the casual dress day.

Employees who do participate in a casual dress day still are expected to report to work properly groomed. All clothing and footwear must be neat, clean, in good repair, and appropriate for the work environment and functions performed.

This dress code policy will not be enforced in a manner that discriminates against anyone based on a protected class, such as race, sex, gender identity or gender expression, religion, national origin or any other class protected by federal, state or local law. For more information, see the Chief Administration Officer. Employees who need a reasonable accommodation because of religious beliefs, observances or practices should contact the Chief Administration Office and discuss the need for accommodation.

### Drug and Alcohol-Free Workplace

Employees cannot be at work under the influence of alcohol or drugs, cannot use or possess alcohol or drugs while on the job, and cannot sell, manufacture, distribute or provide drugs to any person while on the job. The District has no intention of interfering with the private lives of its employees unless involvement with alcohol and other drugs on or off the job affects job performance or public safety. The District encourages employees to voluntarily seek help with drug and alcohol problems. Please refer to [Appendix 1](#) for the Drug and Alcohol-Free Workplace Policy.

### News Media Contacts

Employees may be approached for interviews or comments by the news media. Only contact people designated by the Chief Executive Officer may comment to news reporters on District policy or events relevant to the District. Please direct all inquiries to the Director of Marketing and Communications and Chief Executive Officer.

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

### Other Employment

While employed by the District, employees are expected to devote their energies to their jobs with the District.

Employment that directly conflicts with the District's essential business interests and disrupts business operations is strictly prohibited.

Any employee who wishes to engage in additional employment that may create a real conflict of interest must submit a written request to the District explaining the details of the additional employment.

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If the additional employment is authorized, the District assumes no responsibility for it. Desert Healthcare District shall not provide workers' compensation coverage or any other benefit for injuries occurring from or arising out of additional employment. Authorization to engage in additional employment can be revoked at any time.

## Prohibited Conduct

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

- Falsifying employment records, employment information, or other District records;
- Inefficient or careless performance of job responsibilities or inability to perform job duties satisfactorily;
- Recording the work time of another employee or allowing any other employee to record another employee's work time, or falsifying any timecard, either the employee's or another employee;
- Theft and deliberate or careless damage or destruction of any District property, or the property of any employee or customer;
- Removing or borrowing District property without prior authorization;
- Unauthorized use or misuse of District equipment, time, materials, or facilities;
- Provoking a fight or fighting during working hours or on District property;
- Participating in horseplay or practical jokes on District time or on District premises;
- Carrying firearms or any other dangerous weapons on District premises at any time;
- Insubordination, including but not limited to failure or refusal to obey the orders or instructions of a supervisor or member of management, or the use of abusive or threatening language toward a supervisor or member of management;
- Abusive conduct, including malicious verbal, visual or physical actions, or the gratuitous sabotage or undermining of a person's work performance;
- Violation of District punctuality and attendance policies. Absences protected by state or federal law do not count as violations of this policy. Protected paid sick time under California law does not count as a violation of this policy;
- Failing to obtain permission to leave work for any reason during normal working hours, not including meal periods and rest breaks;
- Failing to observe working schedules, including rest breaks and meal periods;
- Sleeping or malingering on the job;
- Excessive personal calls or texting that interferes with work;
- Working overtime without authorization or refusing to work assigned overtime;
- Violation of dress standards;
- Violation of any safety, health, security or District policy, rule or procedure;
- Violation of the District's drug and alcohol policy;
- Committing a fraudulent act or a breach of trust under any circumstances;



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- Conviction, meaning any judicial determination of guilt, of a crime that has a connection to the employee's job duties;
- Violating the District's anti-harassment or equal employment opportunity policies; and
- Failing to promptly report work-related injury or illness.

## Disciplinary Policy

Violation of District policies and rules may warrant disciplinary action. The District has a system of progressive discipline that may include verbal warnings, written warnings, and suspension. The system is not formal, and the District may, in its sole discretion, utilize whatever form of discipline is deemed appropriate under the circumstances, up to, and including, immediate termination of employment.

The District's policy of progressive discipline in no way limits or alters the at-will employment relationship.

## Prohibited Use of District Cell Phone While Driving

In the interest of the safety of our employees and other drivers and pedestrians on the road, the District employees are prohibited from using cell phones (including all smart phones) or other wireless communication devices (including laptops and tablets) while driving on District business and/or District time. This prohibition includes any use of the cell phone or other wireless communications device, such as answering or placing calls, engaging in conversations, texting, Web browsing or using any smart phone application while driving.

If a job requires that an employee keep their cell phone or other wireless communication device turned on while driving, they must use a hands-free, voice-operated device at all times. Under no circumstances should employees place phone calls while operating a motor vehicle while driving on District business and/or District time. Violating this policy is a violation of law and a violation of District rules.

## Punctuality and Attendance

As an employee of the District, employees are expected to be punctual and regular in attendance. Tardiness or absences can cause problems for their co-workers and supervisor. When absent, an employee's assigned work must be performed by others.

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

If an employee is unable to report for work on any day, they must provide reasonable advance notice to their supervisor before the time scheduled to begin working for that day. The employee must inform their supervisor of the expected duration of any absence.

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If an employee fails to provide reasonable advance notice before the scheduled work time and does not arrive in time for their assigned shift, they will be considered tardy for that day. If the circumstances for the tardiness or absence were unforeseen, the employee's supervisor should be informed as soon as practical of the reason for the tardiness or absence.

Excessive absenteeism or tardiness, providing false information or abuse of leave laws will not be tolerated. Generally, if an employee fails to report for work without any notification to their supervisor and the absence continues for a period of three (3) calendar days, the District will consider the employee to have voluntarily abandoned or quit their employment.

***Absences protected by local, state and federal law do not count as a violation of the punctuality and attendance policy. Paid sick time protected under California law does not count as a violation of this policy.***

# Compensation

## Compensation Plan

Wage/salary rates are based upon an employee's job duties and responsibilities, work performance, periodic review of pay practices among similar organizations in the geographic area that may result in modifying pay rates for specific job classifications, and the economic conditions of the District. Pay increases are not automatic and will be granted based on progress in either meeting or surpassing performance standards since the last performance review and other factors relating to the District's pay practices.

Individual pay rates within established pay ranges will be initially determined at the time of hire for new, re-employed, reinstated, demoted, and promoted employees. In determining a particular rate of pay within an established pay range, consideration will be given to such factors as the employee's experience, qualifications, special skills and training and education, internal equity, and other factors the District deems appropriate. Thereafter, pay rates for each employee will be based on merit as determined by the ratings and other outcomes of their annual performance evaluations.

Performance reviews and any salary or wage increases do not in any way create a contractual relationship or meaning of guaranteed continued employment.

The District reserves the right to grant cost-of-living adjustments (COLA) whenever appropriate. COLA increases will generally be granted at the beginning of each fiscal year, which is July 1<sup>st</sup>. COLA raises are *not* guaranteed for every year and would be subject to approval by the Board of Directors.

The pay rates for part-time and temporary employees are not reviewed on a regular basis and may be adjusted when considered appropriate by the District such as the relationship of their work to regular full-time positions within the District.

## Advances

Desert Healthcare District does not permit advances against paychecks or against unaccrued vacation.

## Deductions for Exempt Employees

Employees paid on a "salary basis" regularly receive a predetermined amount of compensation each pay period. Subject to the exceptions listed below, exempt employees will receive full salary for any workweek in which they perform any work, regardless of the number of days or hours worked.

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

- Is absent from work for one or more full days for personal reasons other than sickness or disability;



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

Partial day deductions from available accrued vacation or sick leave balances will also be made by the District when applicable.

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

An employee who believes that an improper deduction from their salary has been made should immediately report this information to their direct supervisor, or to the Chief Administration Officer. Reports of improper deductions will be investigated promptly. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed for any improper deduction made.

## Expense Accounts

The District reimburses employees for business expenses incurred each month. Employees who have expense accounts or who have incurred business expenses must submit required receipts mileage documentation after the end of each month to the Chief Administration Officer no later than the 15th of each month.

Any questions about the District's expense reimbursement policy listed in Policy #OP-14 should be directed to the Chief Administration Officer.

Personal and/or vacation travel may be combined with business travel provided there is no additional cost to the District, and it meets with the approval of the Chief Administration Officer. Desert Healthcare District credit cards are not to be used for personal expenses.

## Makeup Time

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

Makeup time requests must be submitted in writing to the employee's supervisor, with their signature, on the District-provided form. Requests will be considered for approval based on the legitimate business needs of the District at the time the request is submitted. A separate written request is required for each occasion the employee requests makeup time.

If an employee requests time off that will make up later in the week, they must submit their request

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at least 12 hours before the desired time off in advance of the desired time off. If the employee requests to work makeup time first to take time off later in the week, they must submit their request at least 6 hours before working the make-up time. The makeup time request must be approved in writing before the employee takes the requested time off or work makeup time, whichever is first.

All makeup time must be worked in the same workweek as the time taken off. The District's workweek is from 11:30 am Friday to 11:30 am the following Friday. Nonexempt employees may not work more than 11 hours in a day or 40 hours in a workweek as a result of making up time that was or would be lost due to a personal obligation.

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

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

## Meal and Rest Periods

### Rest Breaks

All nonexempt employees are entitled to uninterrupted rest break periods during their workday. Nonexempt employees will be paid for all such break periods, and do not clock out.

#### *NUMBER OF REST BREAKS*

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

Employees are relieved of all duty during their rest breaks and are free to come and go and are free to leave the premises. Employees are expected to return to work promptly at the end of any rest break.

If an employee works a shift from three and one-half (3.5) to six (6) hours in length they are entitled to one (1) ten-minute rest break. If an employee works more than six (6) hours and up to 10 hours, they are entitled to two (2) ten-minute rest breaks. If an employee works more than 10 hours and up to 14 hours, they are entitled to three (3) ten-minute rest breaks.

#### *TIMING OF REST BREAKS*

Employees are authorized and permitted to take a rest break in the middle of each four-hour work period. Rest breaks will be scheduled by supervisors.

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### Meal Periods

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

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

#### *TIMING OF MEAL PERIOD*

A meal period will be provided prior to the end of the fifth hour of work. For example, if an employee begins work at 8:00 a.m., they must start their meal period by 12:59 p.m. (which is before the end of the fifth hour of work). The meal period will be scheduled by supervisors.

#### *SECOND MEAL PERIOD*

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

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

#### *TIMING OF SECOND MEAL PERIOD*

This second meal period will be provided before the end of the 10th hour of work. The second meal period will be scheduled by supervisors.

#### *RECORDING MEAL PERIODS*

Employees must clock out for any meal periods and record the start and end of the meal period. Employees are not allowed to work "off the clock." All work time must be accurately reported on their time record.

If, for any reason an employee is not provided a meal period in accordance with this policy, or if an employee is in any way discouraged or impeded from taking their meal period or from taking the full amount of time allotted to them, please immediately notify the Chief Administration Officer.



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Anytime an employee misses a meal period that was provided to them (or they work any portion of a provided meal period), they will be required to report to a supervisor and document the reason for the missed meal period, or time worked.

### Lactation Accommodation

The Desert Healthcare District will provide a reasonable amount of break time to accommodate any employee who wishes to express breast milk for their infant child, subject to any exemption allowed under applicable law.

If possible, the break time should run concurrently with normally scheduled break times. Any break time to express breast milk that does not run concurrently with your normally scheduled break time is unpaid. If the employee takes lactation breaks at other times than their provided break times, the lactation break will be unpaid, or the employee may use accrued leave.

Those who wish to take a lactation break at times other than their provided break times must notify a supervisor prior to taking such a break. Breaks may be reasonably delayed if they would seriously disrupt operations. Once a lactation break has been approved, the break should not be interrupted except for emergency circumstances.

The lactation location will be private (shielded from view and free from intrusion from co-workers and the public) and located close to the employee's work area. The location will be safe, clean and free of toxic or hazardous materials; have a surface to place a breast pump and other personal items; have a place to sit; and have access to electricity or alternative devices (including but not limited to extension cords or charging stations) needed to operate an electric or battery-powered breast pump.

The District will also provide access to a sink with running water and a refrigerator suitable for storing milk near the workspace. If a refrigerator cannot be provided, the District will provide another cooling device suitable for storing milk, such as an employer-provided cooler. The lactation location will not be a bathroom or restroom.

The room or location may include an employee's private office if it otherwise meets the requirements of the lactation space. Multi-purpose rooms may be used as lactation space if they satisfy the requirements for space; however, use of the room for lactation takes priority over other uses for the time it is in use for lactation purposes.

Employees who desire lactation accommodations should contact the Chief Administration Officer to request accommodations. An employee's request may be provided orally, by email, or in writing, and need not be submitted on a specific form. The District will engage in an interactive process to determine when and where lactation breaks will occur. If the District cannot provide break time or a location that complies with this policy, a written response will be provided.

The District will not tolerate discrimination or retaliation against employees who exercise their rights to lactation accommodation, including those who request time to express milk at work and/or who lodge a complaint related to the right to lactation accommodation. An employee who believes they have been denied reasonable break time or adequate space to express milk or have been otherwise been denied rights related to lactation accommodation has the right to file a complaint with the Labor Commissioner.

## Overtime for Nonexempt Employees

Employees may be required to work overtime as necessary. Only actual hours worked in a given workday or workweek can apply in calculating overtime. The District will attempt to distribute overtime evenly and accommodate individual schedules. All overtime work must be previously authorized by a supervisor.

The District provides compensation for all overtime hours worked by non-exempt employees in accordance with state and federal law as follows:

- All hours worked in excess of 40 hours in one workweek will be treated as overtime. A workday begins at 12:00 a.m. and ends at midnight 24 hours later. Workweeks begin each Friday at 11:30 a.m.;
- Compensation for hours in excess of 40 for the workweek, and for the first eight hours on the seventh consecutive day of work in one workweek, shall be paid at a rate of one and one-half times the employee's regular rate of pay;
- Exempt employees may have to work hours beyond their normal schedules as work demands require. No overtime compensation will be paid to exempt employees.

## Pay for Mandatory Meetings/Training

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

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

## Payment of Wages

Paychecks are normally paid through direct deposit. If an employee observes an error on their paycheck, they should report it immediately to their supervisor. All employees of the District are paid every other Friday for work performed during the previous two-week pay period. If a regular payday falls on a holiday, employee will be paid on the workday before the holiday.

The District offers automatic payroll deposit. An employee may begin and stop automatic payroll deposit at any time. To begin automatic payroll deposit, an employee must complete a form (available from the payroll department) and return it to payroll at least 10 days before the pay period for which they would like the service to begin. Employees should carefully monitor their payroll deposit statements for the first two pay periods after the service begins.

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

## Timekeeping Requirements

All nonexempt employees are required to use a timesheet to record time worked for payroll purposes. All time worked must be accurately reported on a time record. Employees must record their own time at the start and at the end of each work period and must record the start and end of the meal period.

Employees are not allowed to work "off the clock." Working off the clock violates District policy. Any work performed before or after a regularly scheduled shift must be approved in advance by the employee's supervisor. Any off-the-clock work must be reported to their supervisor. Employees also must record their time whenever they leave the building for any reason other than District business.

Employees are required to certify that their time record is accurate.

Any handwritten marks or changes on the timesheet must be initialed by a supervisor. Filling in another employee's timesheet, allowing a coworker to fill out an employee's timesheet, or altering a timesheet is not permissible and is subject to disciplinary action.

Any errors on an employee's timecard should be reported immediately to their supervisor.

## Reporting-Time Pay

The District will comply with all applicable regulations regarding reporting-time pay for nonexempt employees.

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

Desert Healthcare District will not pay employees who report to work but are unable to work under the following circumstances:

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

## Work Schedule

Desert Healthcare District is normally open for business between the hours of 7:30 am to 5:00 pm, Monday through Friday. All employees are expected to be at their desks or workstations at the start of their scheduled shifts, ready to work.

The work week begins every Friday at 11:30 am.

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The work schedule consists of two-week period with eight consecutive 9-hour days and one 8-hour day.

- The 9-hour workday will begin at 7:30 am and end at 5:00 pm; the 8-hour workday will begin at 7:30 am and end at 4:00 pm.
- The flex day is observed on a Friday. Each pay period will include one working Friday and one flex Friday, where the employee would have the day off and not be expected to report to work. The flex Friday schedule should be coordinated with an employee's supervisor to meet the needs of each position.

### **Holiday Time**

For non-exempt employees, when a District-paid holiday falls on a Monday, the day will be paid at a 9-hour rate; when a District-paid holiday falls on an employee's flex Friday, the holiday will be paid at an 8-hour rate.

### **Overtime**

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

- Time-and-one-half for all work performed beyond 40 hours per week.
- Overtime will be paid for hours worked on any seventh consecutive workday, at the rate of time-and-one-half.

### **Sick and Vacation Time**

For employees working a 9-hour day, when absent for a full day, accrued sick or vacation time will be deducted in 9-hour increments. Otherwise, sick and vacation time may be taken in 15-minute increments.

# Safety and Health

## Employees Who Are Required to Drive

Employees whose job duties require them to drive a District vehicle or their own vehicles for District business will be required to show proof of current valid driving licenses and proof of insurability under the District's policy or current effective insurance coverage before the first day of employment.

The District participates in a system that regularly checks state Department of Motor Vehicles (DMV) records of all employees who are required to drive as part of their job.

If an employee is required to drive as part of their job, the District retains the right to transfer to an alternative position, suspend, or terminate an employee whose license is suspended or revoked, or who fails to maintain personal automobile insurance coverage or who is uninsurable under the District's policy.

Employees who drive their own vehicles on District business will be reimbursed at the rate of the IRS standard mileage rate per mile.

## Ergonomics

The District is subject to Cal/OSHA ergonomics standards for minimizing workplace repetitive motion injuries. The District will make necessary adjustments to reduce exposure to ergonomic hazards through modifications to equipment and processes and employee training. The District encourages safe and proper work procedures and requires all employees to follow safety instructions and guidelines.

The District believes that reduction of ergonomic risk is instrumental in maintaining an environment of personal safety and well-being and is essential to its business. The District intends to provide appropriate resources to create a risk-free environment. If an employee has any questions about ergonomics, they should contact the Chief Administration Officer.

## Health and Safety

All employees are responsible for their own safety, as well as that of others in the workplace. To help the District maintain a safe workplace, everyone must always be safety conscious. Employees should report all work-related injuries or illnesses immediately to their supervisor or to the human resources department. In compliance with California law, and to promote a safe workplace, Desert Healthcare District maintains an Injury and Illness Prevention Program. The Injury and Illness Prevention Program is available for review by employees and/or employee representatives in the Chief Administration Officer's office.

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

## Medical Testing

The District is committed to providing a safe work environment for all employees. There may be circumstances during a declared health emergency when business necessity requires that the District conduct applicable medical testing of employees. Any such tests will be conducted in conformance with all Federal and State laws and local health department regulations.

## Recreational Activities and Programs

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

## Security

The District has developed guidelines to help maintain a secure workplace. Employees should:

- Be aware of persons loitering for no apparent reason in parking areas, walkways, entrances and exits, and service areas.
- Report any suspicious persons or activities to security personnel and secure desks or offices at the end of the day.
- Not leave valuable and/or personal articles in or around your workstation that may be accessible when called away from work areas for an extended length of time.

The security of facilities as well as the welfare of employees depends upon the alertness and sensitivity of every individual to potential security risks. Employees should immediately notify their supervisor when unknown persons are acting in a suspicious manner in or around the facilities, or when keys, security passes, or identification badges are missing.

## Workplace Violence

The District has in place a Workplace Violence Prevention Program. The purpose of the Workplace Violence Prevention Program (WVPP) is to ensure that the District provides its employees and members of the public with a place to conduct the business of the District free of threats, threat of violence, intimidation, harassment, and acts of violence. It is the policy of the District to take appropriate actions to protect, as fully as possible, all employees of the District and members of the public from acts of violence, threats, intimidation, and harassment that may occur during the performance of job duties. The District will also act, including involving state or local law enforcement and pursuing prosecution through judicial or other appropriate administrative remedies, when such incidents occur

This program does not apply to employees who are teleworking from a location of their choice, which is not under the control of the District.

## Bullying

Bullying is defined as unreasonable behavior that generally is persistent, and that demeans, intimidates and humiliates one or more employees or member of the public. Bullying can take many forms and includes, but is not limited to slandering, ridiculing, or maligning a person or their family; persistent name calling which is hurtful, insulting or humiliating; using a person as the butt of jokes, verbal assault, making non-verbal threatening gestures, and socially or physically excluding or disregarding a person in work-related activities. Such conduct can also occur via use of electronic or telephone communications, such as the internet, email, blogs, text messages, or misuse of cameras and/or recording equipment.

# Separation of Employment

## Employee References

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

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

## Disciplinary Separation

An employee may be separated for disciplinary reasons according to the policy in Prohibited Conduct: Disciplinary Policy.

## Job Abandonment

Employees are considered to have resigned from their position if they are absent for three days without prior authorization. The District will provide written notice to the employee of the circumstances of the job abandonment with an opportunity for the employee to provide an explanation for the unauthorized absence. An email may serve as written notice. An employee who responds to the agency's written notice, within the timeframe set forth in the written notice, can arrange for an appointment with the Chief Administration Officer before final action is taken, to explain the unauthorized absence and failure of notification.

## Reductions in Force

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

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

## Voluntary Resignation

Voluntary resignation results when an employee voluntarily quits their employment at Desert Healthcare District or fails to report to work for three consecutively scheduled workdays without notice to, or approval by, their supervisor (unless the absence is protected by law). All District-owned property, including vehicles, keys, uniforms, identification badges, and credit cards, must be returned immediately upon termination of employment.

# Appendix 1 – Drug Free Workplace

## Purpose

This Policy is to promote a drug and alcohol-free workplace and to eliminate drug and alcohol-related inefficiencies and risks. This Policy applies to all Desert Healthcare District (District) employees, whether they are on District property, or they are performing District-related business elsewhere, except as this Policy is superseded by federally mandated drug and alcohol policies. Compliance with this Policy is a condition of employment.

Disciplinary action will be taken against those who violate this Policy.

## Prohibited Conduct

- The manufacture, distribution, sale, dispensation, possession, or use of any controlled substance, narcotic (including cannabis), or prescription drug that has not been lawfully prescribed to the employee in either workplaces or wherever District business is performed.
- Working or being subject to call in if impaired by alcohol or any controlled substance, narcotic (including cannabis), or prescription drug that has not been lawfully prescribed to the employee.
- An employee's failure to notify the employee's supervisor, or Chief Administration Officer before beginning work when taking medications or drugs, including, but not limited to prescription drugs, over the counter medications, or illegal drugs or narcotics (including cannabis), which could interfere with the safe and effective performance of duties or operation of the District.
- An employee's failure to notify the Chief Administration Officer or designee of any criminal conviction for a drug violation that occurred in the workplace within five days after such conviction.
- An employee's criminal conviction for a drug violation that occurred in the workplace.

## Drug And Alcohol Testing

The District has discretion to test applicants and employees for alcohol and drug use under the following circumstances. The District will use an outside laboratory to perform all testing.

- Pre-Employment Testing for External Applicants: Those external applicants who apply for jobs where a special need for pre-employment drug and alcohol testing exists must take and pass a drug and alcohol test following a conditional offer of employment. The categories of jobs subject to pre-employment drug and alcohol testing include, but is not limited to, the following:
  1. Safety sensitive jobs that have public safety implications, such as operating heavy trucks to transport hazardous material, protecting national security, enforcing drug laws, and/or operating natural gas pipelines;
  2. Jobs that are involved with the financial operations of the District; and
  3. Jobs that involve the direct influence over children.
- Reasonable Suspicion Testing: The District may require a blood test, urinalysis, or other drug and/or alcohol screening of those employees who are reasonably suspected of using or being under the influence of a drug or alcohol at work, under the following circumstances.
  1. “Reasonable suspicion” to test exists if, based on objective factors, a reasonable person would believe that the employee is under the influence of drugs or alcohol at work. Examples of objective factors, include, but are not limited to: unusual behavior, slurred or altered speech, body odor, red or watery eyes, unkempt appearance, unsteady gait, lack of coordination, sleeping on the job, a pattern of abnormal or erratic behavior, a verbal or physical altercation, puncture marks or sores on skin, runny nose, dry mouth, dilated or constricted pupils, agitation, hostility, confused or incoherent behavior, paranoia, euphoria, disorientation, inappropriate wearing of sunglasses, tremors, an accident involving agency property or equipment, or other evidence of recent drug or alcohol use.
  2. Document and Analysis: To receive authority to test, the supervisor must record the reasons that support reasonable suspicion in writing and analyze the matter with the Chief Administration Officer or designee. Any reasonable suspicion testing must be pre-approved by the Chief Administration Officer.
  3. Testing Protocol: If the documentation and analysis show that there is a reasonable suspicion of drug or alcohol abuse at work, upon approval by the Chief Administration Officer, the employee will be relieved from duty and transported to the testing facility and to the employee’s home after the test. The employee will be placed on sick or other paid leave until the test results are received.

## Conviction For Drug-Related Offense

An employee who is convicted under a federal or state criminal drug statute relating to any conduct prohibited by this policy will be deemed to have violated this Policy. Upon receiving notice of a conviction of an employee for any such violation, the District will either (a) take appropriate disciplinary action in accordance with this Policy, and/or (b) require the employee to participate in and satisfactorily complete a drug abuse assistance, rehabilitation or counseling program. Employees will notify the Chief Administration Officer of any conviction under a criminal drug statute.

## Appendix 2 – Family and Medical Leave as Provided by FMLA/CFRA

### Purpose

The Desert Healthcare District (District) provides family and medical care leave for eligible covered employees as required by state and federal law. This Policy is supplemented by the Federal Family and Medical Leave Act (FMLA), and California Family Rights Act (CFRA). Unless otherwise stated in this Policy, “leave” means leave pursuant to FMLA and CFRA. Unless otherwise provided by law, the District will run each employee’s FMLA and CFRA leaves concurrently.

### FMLA/CFRA

In accordance with FMLA and CFRA, the District may designate eligible covered employees a leave of absence for a period of 12 work weeks of family and medical leave during a 12-month period for a qualifying event, or 26 workweeks to care for a covered servicemember.

Leave may be designated for one or more of the following qualifying reasons:

- The birth of the employee’s child, or placement of a child with the employee for adoption or foster care, or to care for a newborn of an employee, or for baby bonding;
- To care for the employee’s child, spouse or registered domestic partner or their child, parent, parent-in-law, grandparent, grandchild, or sibling or designated person who has a serious health condition;
- For a serious health condition that makes the employee unable to perform their job;
- For an employee against whom a “Qualifying Act of Violence” has been committed. A “Qualifying Act of Violence” is defined as any of the following regardless of whether it results in an arrest, prosecution, or conviction:
  - Domestic violence
  - Sexual assault
  - Stalking, or
  - An act, conduct or pattern of conduct that includes any of the following: an individual causing bodily injury or death to another individual; an individual exhibiting, drawing, brandishing, or using a firearm, or other dangerous weapon, with respect to another individual; or an individual using or making a threat, whether actual or perceived, to use, force against another individual to cause physical injury or death.



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- To care for a family member against whom a “Qualifying Act of Violence” has been committed. A family member means a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner, or a designated person. A “designated person” means any individual related by blood or whose association with the employee is the equivalent of a family relationship.
- Leave to care for a spouse, son, daughter, parent or “next of kin” who is a covered servicemember of the U.S. Armed Forces who has a serious injury or illness incurred in the line of duty while on active military duty; or existed before the beginning of the member’s active duty and was aggravated by service in the line of duty on active duty in the Armed Forces.

Leave that is requested for the birth, adoption or foster care placement of a child of the employee, must be concluded within one year of the birth or placement of the child. An employee is entitled to leave for one of these purposes for at least one day, but less than two weeks duration on any two occasions; otherwise leave must be used in a minimum increment of two weeks.

If leave is requested as family care leave for a qualifying family member or employee with serious health condition, there is no minimum amount of leave that must be taken. However, compliance with the notice and medical certification provisions in this Policy is required.

## Serious Health Condition

Serious health condition: A serious health condition means an illness, injury, impairment, or physical or mental condition that involves one of the following:

- Inpatient care in a hospital, hospice, or residential medical care facility, including any period of incapacity or subsequent treatment in connection with or consequent to such inpatient care;
- A period of incapacity of more than three consecutive calendar days that involves (a) treatment two or more times by a health care provider or (b) treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider;
- A period of incapacity due to qualifying pregnancy or other pregnancy-related conditions; the District will be careful to ensure that PDL for eligible covered employees runs separately and concurrently according to all laws;
- A chronic condition which (a) requires periodic visits for treatment by a health care provider, (b) continues over an extended period, and (c) may cause episodic rather than a continuing period of incapacity (e.g. asthma, diabetes, epilepsy, etc.);
- A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective, and the employee or family member is under the continuing supervision of a health care provider (e.g., Alzheimer’s, a severe stroke, or the terminal stages of a disease); or
- Any period of absence to receive multiple treatments by a health care provider either for restorative surgery after an accident or other injury, or for a condition that would likely result in the period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment.

Qualified health care providers include Doctor of Medicine or osteopathy, podiatrists, dentists, clinical psychologists, optometrists, chiropractors, alternative health care providers, nurse practitioners, and

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nurse-midwives authorized to practice under state law and performing within the scope of their practice under state law.

### Eligibility for Leave

Covered employees are eligible for leave pursuant to this policy if the employee has been employed with the District for at least 12 months and has worked for at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave.

In addition, to be eligible for Military Family Leave to care for an injured servicemember, the covered employee must be a spouse, domestic partner, son, daughter, parent or next of kin of a covered servicemember. The servicemember's medical condition must warrant the participation of the employee to provide supervision or care during the entire period of leave.

A covered eligible employee may also use available leave entitlement for parental leave to bond with a new child within one year of the child's birth, adoption or foster care placement.

For purposes of calculating the 12-month period during which 12 weeks of leave may be taken, the District will use a rolling 12-month period measured backward from the date leave is taken and continuous with each additional leave day taken. Successive 12-month periods commence on the date of an employee's first use of such leave after the preceding 12-month period has ended. There is no carryover of unused leave from one 12-month period to the next 12-month period.

### Servicemember Care

An eligible employee may take up to 26 work weeks of leave during a single 12-month period to care for the servicemember proportional to an employee's average hours worked. Leave to care for an injured or ill servicemember, when combined with other FMLA/CFRA-qualifying leave, may not exceed 26 weeks in a single 12-month period. Servicemember FMLA/CFRA, to care for an injured or ill service member, is available once per servicemember, per serious injury or illness.

Qualifying exigencies may include addressing needs arising from short-notice deployment, attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, addressing needs related to the care of the military member's parent who is incapable of self-care, attending certain counseling sessions, to spend up to 15 calendar days with a military member who is on R and R leave, and attending post-deployment reintegration briefings.

Servicemember FMLA/CFRA runs concurrent with other leave entitlements provided under federal, state, and local law.

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Medical certification for a Military Caregiver Leave must be from a United States Department of Defense, Department of Veteran's Affairs, or another authorized medical provider. It must indicate:

- Whether the servicemember has incurred a serious injury or illness.
- Whether the injury or illness renders the servicemember medically unable to perform the duties of the member's position.
- Whether the injury or illness was incurred in the line of duty while on active duty.
- Whether the servicemember is undergoing medical treatment, recuperation, or therapy, or is otherwise on outpatient status, or is otherwise on the temporary disability retired list.
- The probable duration of the injury or illness.
- The frequency and duration of leave the family member requesting leave will require.
- The family relationship of the eligible employee to the covered service member.

## Procedures

Whenever possible, employees should provide at least 30 days advance notice for foreseeable events (such as a planned medical treatment for themselves or family member, or the expected birth, adoption, or foster placement of a child, or for court relief or other care related to a "Qualifying Act of Violence"). For events that are less than a 30-day advance notice or that are unforeseeable, employees must notify the Chief Administration Officer, at least verbally, as soon as the need for a leave is known. Unless related to victims of crime, failure to comply with these notice rules may be grounds for, and may result in, deferral of the requested leave until the employee complies with these notification/leave request procedures.

If an employee cites their own serious health condition as a reason for leave, the employee must provide a certification from the health care provider stating:

- Date of commencement of the serious health condition;
- Probable duration of the condition; and
- Inability of the employee to work at all or perform any one or more of the essential functions of their position because of the serious health condition.

All medical certifications must have a measurable calendar period. When medically necessary, leave may be taken on an intermittent basis.

If a covered eligible employee provides an incomplete medical certification, the employee will be given a reasonable opportunity to remedy any deficiency. However, if an employee fails to provide a medical certification within the time frame established in this Policy, the District may delay the taking of FMLA/CFRA leave until required certification is provided or deny FMLA/CFRA protections following the expiration of the period to provide an adequate certification.

If the FMLA and/or CFRA request is made because of the employee's own serious health condition, the District may require, at its expense, a second opinion from a health care provider that the company chooses. The health care provider designated to give a second opinion will not be one who is employed on a regular basis by the District.



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If the second opinion differs from the first opinion, the District may require, at its expense, the employee to obtain the opinion of a third health care provider designated or approved jointly by the employer and the employee. The opinion of the third health care provider will be considered final and binding on the District and the employee.

The District requires the employee to provide certification within 15 days of any request for family and medical leave under state and federal law, unless it is not practical to do so. The District may require recertification from the health care provider if additional leave is required.

## Compensation During Leave

FMLA/CFRA leave is without pay. However, the employee may use accrued paid leave. Use of accrued leave or other wage replacement benefits will not impede tolling leave time against eligible protected leave entitlement banks.

## Benefits During FMLA

The District will continue to pay its customary portion of any group health, dental, and vision insurance during a leave of absence as required by law. When in unpaid status, to maintain coverage, employees are required to pay timely the full employee contribution, either through payroll deduction or by paying the District directly. Employees may also arrange with the Chief Administration Officer a fitness for duty statement by the employee's treating health care provider releasing the employee with or without restrictions prior to returning to work. In appropriate circumstances, an employee may be restored to work, placed on administrative leave, and then required to undergo a fitness-for-duty examination.

Employees are expected to periodically report to the Chief Administration Officer on their status and intent to return to work as often as necessary but not less than once per month during periods of medical leave use. This will avoid any delays to reinstatement when the employee is ready to return.

Under most circumstances, upon submission of a fitness for duty certification from the employee's health care provider that the employee can return to work from leave for the employee's own serious health condition, the employee will be reinstated to the same position held at the time the leave began or to an equivalent position. An employee returning from CFRA leave has no greater right to reinstatement than if the employee had been continuously employed.

## Misuse of Leave

Employees who misuse or abuse family and medical care leave may be subject to corrective action up to termination. Employees who fraudulently obtain or use California Family Rights Act (CFRA) leave are not protected by the CFRA's job restoration or maintenance of health benefits provisions.

## Appendix 3 – Pregnancy Disability Leave (PDL)

### Policy

An employee who is disabled because of pregnancy, childbirth, or a related medical condition is entitled to an unpaid leave for up to the number of hours she would normally work within four calendar months (one-third of a year or 17 1/3 weeks). For a full-time employee who works 40 hours per week, “four months” means 693 hours of leave entitlement, based on 40 hour per week times 17 1/3 weeks. An employee who works less than 40 hours per week will receive a pro rata or proportional amount of leave.

A pregnancy disability is a medical condition related to pregnancy or childbirth that prevents employees from performing the essential duties of their job, or if the job would cause undue risk to the mother or their pregnancy’s successful completion. PDL runs concurrently with FMLA and CFRA. The leave may be taken intermittently or on a reduced schedule.

Employees must provide the District with certification from a healthcare provider. The leave does not have to be one continuous period. Employees may take pregnancy disability leave intermittently, as needed, in hour or partial hour increments.

Pregnancy disability leave is not intended for “baby bonding time.” Once no longer disabled per medical certification, employees are no longer eligible for pregnancy disability leave. Employees may, however, be granted additional family and medical leave. Please refer to the Family Medical Care Leave [Appendix 2](#) for more information.

If requested and recommended by a health care professional, work assignments may be changed as required to protect the health and safety of the employee and child. Requests for transfers will be reasonably accommodated.

### Notice And Certification

It is the employee’s responsibility to provide at least 30-days’ advance notice in writing to the District, or as much notice as possible, before a leave is to begin.

When this is not possible, the employee must provide the requested certification to the District within the time frame requested (at least 15 calendar days), unless it is not possible under the circumstances to do so despite the employee’s diligent, good faith efforts. However, employees may not be required to provide such documentation for intermittent and recurring absences for pregnancy-related reasons, such as morning sickness.

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The request for pregnancy leave must be supported by a written certification from the attending physician stating that:

- The employee is disabled from working by pregnancy, childbirth or a related medical condition;
- The date on which the employee became disabled by pregnancy, childbirth or a related medical condition; and
- The estimated duration or end date of the leave.

If requested, once intermittent leave has been designated, employees are responsible for providing as much advance notice as possible about absences to their supervisor or Chief Administration Officer. Unforeseeable intermittent leaves must be reported in advance of the impact on work. All intermittent absences should be reported as related to the previously designated serious health condition prior to the impact of the absence on work.

An employee is eligible for PDL upon commencement of employment. There is no length-of-service requirement for PDL.

## Compensation During Leave

PDL is without pay. However, the employee must first use sick leave, if any. Once sick leave is depleted, the employee may use vacation or any other accrued paid time off during the leave.

## Benefits During Leave

An employee on pregnancy disability leave may continue to receive any group health insurance coverage that was provided before her leave, beginning on the date the pregnancy disability leave begins and continuing for up to four months in a 12-month period, at the same level and under the same conditions that coverage would have been provided if the employee had continued in employment continuously for the duration of the leave.

The District may recover premiums it paid to maintain health coverage if an employee does not return to work following pregnancy disability leave, unless the reason for the failure to return is a circumstance beyond her control or the use of the separate right to 12 weeks of bonding leave under the FMLA

Paid Leave (e.g., vacation, sick leave, holidays) does not accrue while an employee is on unpaid PDL.

The employee retains employee status during the leave. The leave is not a break in service for purposes of longevity or employee benefit plan. Benefits will be resumed upon the employee's reinstatement in the same manner and at the same levels as provided when the leave began, without any new qualification period, physical exam, or other qualifying provisions.

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### Reinstatement

At the conclusion of the approved pregnancy disability leave, the employee will be returned to their former position or to an equivalent position. When ready to return from pregnancy disability leave employees must report to the Chief Administration Officer with a medical release to return to work prior to beginning any work activity.

If the end of the 17 1/3 weeks leave period has been reached, and CFRA baby bonding (if eligible and leave is available), has been utilized, and the employee is unable to return to their regular position for continuing health reasons, the District will engage in a timely, good-faith interactive process with the employee to identify a potential reasonable accommodation according to the District policy on Reasonable Accommodation and Interactive Process.

If, after all reasonable accommodation efforts have been exhausted, and the employee is not available to return to work, even to an alternative job placement, the District may consider a medical separation from employment.

The employee is required to obtain a certification from their health care professional of their pregnancy disability or the medical advisability for a transfer or reasonable accommodation. The certification should include at least:

- The date on which the employee became disabled due to the pregnancy or the date of the medical advisability for the transfer or reasonable accommodation;
- The probable duration of the period(s) of disability or the period(s) for the transfer or reasonable accommodation; and
- A statement that indicates the impact on work of the disability, such as the employee is unable to perform specific job functions without undue risk to themselves or the successful completion of their pregnancy; to ensure the safety of others in the workplace; or that is medically recommended that the employee be transferred away from any department with exposure to chemicals, etc.

### Leave For Reproductive Loss

The District provides employees who have been employed at least 30 calendar days with Reproductive Loss Leave, in the event of a “Reproductive Loss Event”.

“Reproductive Loss Event” means the day or, for a multiple-day event, the final day of a Failed Adoption, Failed Surrogacy, Miscarriage, Stillbirth, or an Unsuccessful Assisted Reproduction, as those terms are defined below:

- “Failed Adoption” means the dissolution or breach of an adoption agreement with the birth mother or legal guardian, or an adoption that is not finalized because it is contested by another party. This event applies to a person who would have been a parent of the adoptee if the adoption had been completed.

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- “Failed Surrogacy” means the dissolution or breach of a surrogacy agreement, or a failed embryo transfer to the surrogate. This event applies to a person who would have been a parent of a child born as a result of the surrogacy.
- “Miscarriage” means a miscarriage by a person, by the person’s current spouse or domestic partner, or by another individual if the person would have been a parent of a child born as a result of the pregnancy.
- “Stillbirth” means a stillbirth resulting from a person’s pregnancy, the pregnancy of a person’s current spouse or domestic partner, or another individual, if the person would have been a parent of a child born as a result of the pregnancy that ended in stillbirth.
- “Unsuccessful Assisted Reproduction” means an unsuccessful round of intrauterine insemination or of an assisted reproductive technology procedure. This event applies to a person, the person’s current spouse or domestic partner, or another individual, if the person would have been a parent of a child born as a result of the pregnancy.

Reproductive Loss Leave may be taken for up to five (5) days per Reproductive Loss Event.

Reproductive Loss Leave is not required to be taken consecutively, but such leave must be taken within three (3) months of the Reproductive Loss Event, with the exception that, if an employee is on California Family Rights Act (“CFRA”) leave, Pregnancy Disability Leave (“PDL”), or another leave protected by state or federal law at the time of or immediately following the Reproductive Loss Event, the employee may use Reproductive Loss Leave within three (3) months of the end date of the other protected leave.

If an employee experiences more than one Reproductive Loss Event within a 12-month period, the District will provide Reproductive Loss Leave up to a maximum of 20 days within a 12-month period.

Reproductive Loss Leave is unpaid, but employees may elect to use accrued paid leaves, such as sick time or vacation time to provide for their compensation while on Reproductive Loss Leave.

The District will maintain the confidentiality of any employee who requests to use or uses Reproductive Loss Leave, and the District will not disclose such information other than to internal personnel on a need-to-know basis, or as required by law.