



Marshall B.
KETCHUM UNIVERSITY

Employee Handbook

REVISED
JULY 1, 2024

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SECTION A - INTRODUCTION TO THE UNIVERSITY

HISTORY

Marshall B. Ketchum University is the home of the Southern California College of Optometry, the School of Physician Assistant Studies, and the College of Pharmacy. Southern California College of Optometry, originally named the Los Angeles School of Ophthalmology and Optometry, was chartered by the State of California in 1904. It is the third oldest of the schools and colleges of optometry in the United States and Puerto Rico.

In the early years, both optometrists and physicians studied at the Institution. As optometric matriculation increased and courses expanded, the medical courses were gradually phased out, and the University became exclusively a school of optometry.

In 1928, the Los Angeles School of Optometry merged with the University of Southern California. In 1933 the school separated from USC and re-established the Los Angeles School of Optometry, accepting students with a minimum of two years of approved pre-optometry curriculum. MBKU became a non-profit institution in 1938. The University remained in the vicinity of the USC campus until early 1973, when it moved to a newly built campus in the City of Fullerton in Orange County, CA. At that time the name of the University was changed to the Southern California University of Optometry.

As an independent, fully accredited, non-profit educational institution, the University derives its income from tuition, fees, clinical services, research and grants. As a private, educational institution, important additional support is received in the form of voluntary gifts from parents and friends of the University, alumni, trustees, corporations, foundations, and others.

The College is accredited regionally by the Accrediting Commission for Senior Colleges and Universities of the Western Association of Schools and Colleges (WASC). It is also accredited professionally and nationally by the Accreditation Council on Optometric Education (ACOE), of the American Optometric Association.

The School of Physician Assistant Studies (SPAS) at Marshall B. Ketchum University was founded in 2012 and offers a 27-month, post-baccalaureate program leading to the degree, Master of Medical Science (MMS). The PA program is nine quarters in duration. MBKU is on the forefront of interprofessional education.

The College of Pharmacy at Marshall B. Ketchum University was founded in 2014 and accepted its inaugural class in September 2016 and awards a Doctor of Pharmacy (PharmD) degree. The program offers all the American Pharmacists Association (APhA) training certificate programs, five in total, to our students. The five certifications include: Delivering Medication Therapy Management Services, Pharmacy-Based Cardiovascular Disease Risk Management, Pharmacy-Based Immunization Delivery, The Pharmacist and Patient-Centered Diabetes Care and Pharmacy-Based Travel Health Services.

UNIVERSITY CORE VALUES

Marshall B. Ketchum University is guided by the values of:

Accountability: We are committed to honesty, fairness and responsibility for our words and actions.

Caring: We strive to address the needs of our University community and others by nurturing a spirit of compassion.

Excellence: Consistent with our legacy, we are committed to achieving outcomes of the highest quality.

Innovation: We have the courage to dream and experiment with creative and unique ideas.

Respect: We value the unique talents and diversity of people, strive to work collaboratively, and honor the open exchange of ideas.

UNIVERSITY MISSION STATEMENT

The mission of Marshall B. Ketchum University is to educate caring, inspired health care professionals who are prepared to deliver collaborative, patient-centric health care in an interprofessional environment.

UNIVERSITY VISION STATEMENT

We seek to reimagine the future of health care education.

UNIVERSITY PUBLICATIONS

There are additional University publications which relate to official policy and procedures and provide important information about the University:

FACULTY HANDBOOK

The Faculty Handbook is a ready reference on specific policies, regulations and benefits relating to full-time and part-time employees holding faculty appointments at the University. It is a supplemental handbook to the MBKU Employee Handbook.

MANUAL OF CLINICAL EDUCATION AND CLINICAL POLICIES AND PROCEDURES

The material in this publication addresses the overarching procedures and policies that apply to clinic operations. Included in this publication are the roles and functions of the various University clinics and their personnel. Patients' rights, as well as certain disclosure requirements are described. Fees, emergency procedures, third party payment information, record keeping, immunization procedures, infection control protocols, retention of clinic records, confidentiality and privacy policies and other pertinent information is included. The contents of this publication are meant for students, faculty, staff, and administrators alike.

Included in this publication is the information that is aimed at addressing the educational aspects of the clinical education of students at MBKU. Information concerning the behavioral objectives from each of the clinical services is included as a basis for evaluation of student performance. Additional information regarding student evaluation and conduct is addressed. This publication is available on the MBKU Portal.

SECTION B - EMPLOYMENT AT THE UNIVERSITY

PURPOSE OF THIS EMPLOYEE HANDBOOK

This handbook is designed to acquaint you with Marshall B. Ketchum University (the “University”, “MBKU”) and provide a reference for many of your questions regarding your employment with us.

The contents of this handbook are only a summary of the employee benefits, practices, and policies in effect at the time of publication. The University retains the right to add, modify, or delete policies, benefits, wages, and all other working conditions as it deems appropriate without obtaining another person’s consent or agreement. Therefore, other than the at-will agreement contained in the Employee Acknowledgment and Agreement at the end of this handbook, this handbook should not be construed as creating any kind of “employment contract.”

As provided in the Employee Acknowledgment and Agreement, employment at the University is at-will and may be terminated by either the University or the employee, with or without cause or prior notice. This handbook supersedes any and all prior handbooks, written documents, or oral representations that contradict the at-will nature of your employment. Your status as an “at-will” employee may not be changed except in writing signed by the President of the University.

EMPLOYEE RELATIONS PHILOSOPHY

We are dedicated to continuing what we believe to be an excellent relationship with our employees. We will do our best to maintain good working conditions, competitive wages and benefits, open communications, and employee involvement. We know that the University’s success and reputation is a direct result of the loyalty, commitment, and continued efforts of our employees. We will continue to look to our employees for ideas about how to improve all areas of our business in areas like customer service, safety, efficiency, and employee relations.

IF YOU HAVE A QUESTION

We encourage you to discuss any questions or concerns regarding this handbook or any work-related issues with us. We cannot address any of your questions or concerns unless we know about them. If you have a problem, please speak with your immediate supervisor as soon as possible. Your immediate supervisor is the person responsible for what takes place in your immediate work area and may be in the best position to help you.

If you prefer not to speak with your immediate supervisor, or if you feel your immediate supervisor cannot or has not satisfactorily resolved the issue, contact the Vice President for Human Resources. Finally, if you still feel the need to speak to other members of management, we encourage you to contact the President of the University.

If you have a complaint of harassment or discrimination, or you require reasonable accommodation, please refer to the Equal Employment Opportunity Policy or the Policy Against Unlawful Harassment, Discrimination, and Retaliation in this handbook.

The University takes all employee concerns and problems seriously. We will work to address your concern and/or resolve your problem as soon as possible. You are encouraged to utilize this procedure without fear of retaliation.

INTRODUCTORY PERIOD

For every new employee, including rehires, the first ninety (90) days of employment is an introductory period. During this time, your job performance, attendance, and overall interest in your job will be assessed. Employees who fail to demonstrate the expected performance, commitment, and attitude may be terminated during or upon the completion of the introductory period. However, completion of the introductory period does not change or alter the “at-will” employment relationship. You and the University continue to have the right to terminate your employment at any time, with or without cause or notice.

During the introductory period, you may not be eligible for certain University benefits. The University may choose to extend your introductory period as necessary to give you a further opportunity to demonstrate your ability to do the job. If your introductory period is extended, you will be notified.

BACKGROUND INVESTIGATION

To ensure that employees of the University continue to be qualified and to ensure that the University maintains a safe and productive work environment free of any form of violence, harassment, or misconduct, and to determine eligibility for promotion, re-assignment, or retention, the University reserves the right to conduct background screening on all its employees. These reports can include, but are not limited to, Driver’s History, Criminal Courts, Public Filings and Consumer Credit Report for specified positions. Employees will be aware of MBKU’s request for a credit report and will be entitled to receive a copy of the criminal report and credit report in accordance with the Fair Credit Reporting Act. Should you have any questions regarding the University’s background screening policy, please contact **Human Resources**.

EMPLOYMENT OF RELATIVES

Employees' relatives are not eligible for employment with the University where potential problems of supervision, safety, security, morale, or potential conflicts of interest exist. Relatives include an employee's parent, child, spouse, brother, sister, in-laws, and step relationships.

If two employees marry or become related, it will be necessary for the individuals to meet with the VP of Human Resources and/or the President to establish what shall occur.

EQUAL EMPLOYMENT OPPORTUNITY

We are committed to providing equal employment opportunities to all employees and applicants without regard to race (including traits historically associated with race, such as hair texture and protective hairstyles, including braids, locks, and twists), ethnicity, religion, religious creed (including religious dress and grooming practices), color, caste, sex (including childbirth, breast feeding, and related medical conditions), gender, gender identity or expression, sexual orientation, national origin, ancestry, citizenship status, uniform service member and veteran status, marital status, pregnancy, age (40 and over), protected medical condition (including cancer and genetic conditions), genetic information, disability (mental and physical), reproductive health decision-making, medical leave or other types of protected leave (requesting or approved for leave under the Family and Medical Leave Act or the California Family Rights Act), domestic violence victim status, political affiliation, or any other protected status in accordance with all applicable federal, state, and local laws.

This policy extends to all aspects of our employment practices including, but not limited to, recruiting, hiring, discipline, termination, promotions, transfers, compensation, benefits, training, leaves of absence, and other terms and conditions of employment.

HUMAN RESOURCES DEPARTMENT

The Human Resources (HR) Department has been established to provide employees with information and necessary assistance to understand the University's personnel policies, benefits, and to promote a positive work environment. The HR Department is the best resource for employees to obtain current information on work rules, benefits, personnel policies, payroll data, personnel records, insurance, job opportunities, and benefit conversion privileges upon termination of employment. The representatives of the HR Department are eager to help employees with any problem or concern, although employees should try to resolve any issues with their manager before going to the HR Department.

PERSONNEL RECORDS

Recognizing the confidential nature of the information in your personnel record, the University limits access to the personnel records to you and those with proper authorization or pursuant to legal process.

No documents contained in your personnel file will be released without your consent, except pursuant to legal process. Any records of medical evaluation results will be maintained in a separate file, in accordance with legal requirements, and may only be reviewed by authorized individuals.

You may review your own personnel file with a Human Resources representative present to answer any questions. Additionally, a manager may review your personnel file if you have a current reporting relationship to that manager or have been interviewed and are being considered for a position reporting to that manager. Your personnel records are also subject to review by investigative agencies, or during periodic internal audits conducted by the University.

Within thirty (30) days of an employee's written request, or the written request of the employee's designated representative, the University will either make personnel records available to the employee for inspection or provide a copy of the employee's personnel records to the employee or the employee's designated representative. The employee is responsible for the cost of copying the records.

REASONABLE ACCOMMODATION

The University is committed to complying with all laws protecting qualified individuals with disabilities, as well as employees' religious beliefs and practices. This policy extends to all aspects of our employment practices including, but not limited to, recruiting, hiring, discipline, termination, promotions, transfers, compensation, benefits, training, leaves of absence, and other terms and conditions of employment. The University will provide a reasonable accommodation for any known physical or mental disability of a qualified individual and/or employees' religious beliefs and practices, provided the requested accommodation does not create an undue hardship for the University and/or does not pose a direct threat to the health or safety of others in the workplace and/or to the individual.

If you require accommodation to perform the essential functions of your job and/or for your religious beliefs or practices, please notify Human Resources. Once the University is aware of the need for accommodation, the University will engage in an interactive process to identify possible accommodations.

If you believe that you have been treated in a manner not in accordance with these policies, please notify the University immediately by speaking to the Vice President for Human Resources. You are encouraged to utilize this procedure without fear of retaliation.

RECRUITMENT PROCESS - ADMINISTRATORS AND STAFF

Recruitment of administrators and support staff goes on throughout the year. When a position becomes available the applicable supervisor and HR reviews the position and makes any necessary changes. This job analysis includes, but is not limited to, reviewing the job description for accuracy and the salary level for equity and competitiveness. Advertising for open positions is carried out by the HR Department in various ways. HR may post open positions on MBKU's website, portal and social networks and make information available to all employees.

SELECTION PROCESS

Employees are selected for employment and promotion based on their ability to do the job. Testing for skills necessary to perform the essential tasks and assessments measuring a candidate's suitability for a position may be used in the recruitment process for internal and external candidates. Available staff positions will generally appear on the MBKU website. Advertisements may also appear on internet recruiting sites. Employees are encouraged to apply for openings within the University that will provide promotional

opportunities. The University is an equal employment opportunity employer and will not discriminate against any employee or applicant for employment in an unlawful manner.

The University reserves the right to make exceptions to the selection process when deemed in the best interest of the University and appoint individuals to positions without open recruitment.

TRANSFERS BETWEEN DEPARTMENTS

Lateral transfers and promotions will be considered if the employee has been in his or her present position at least six months. The University reserves the right to make exceptions when deemed in the best interest of the University. Approved transfers will take place after 30 days to allow the departing manager time to find and train a replacement. Transfers may be delayed if the transfer impacts service quality.

VERIFICATION OF LAWFUL WORK STATUS (FORM I-9)

The University is committed to full compliance with the federal immigration laws which prohibit employment of unauthorized individuals. Federal law requires all employers to verify each new employee's identity and legal authority to work in the United States on Form I-9, Employment and Eligibility Verification no later than three business days after employment. All offers of employment are conditioned upon the receipt of satisfactory evidence of an employee's authorization to work in the United States. Any employee whose right to work in the United States expires must recertify their right to work in the United States on the I-9 Form in advance of the expiration of the authorization. Any applicant or employee who submits false information to the University to qualify to work in the United States will be immediately terminated.

VOLUNTEERS

When Volunteers Serve as Committee Members

1. The purpose will be to contribute professional, industry, network guidance and leadership to promote efforts of MBKU.
2. Volunteers will:
 - a. Sign a "Committee Member Volunteer Service Agreement / Waiver"
 - b. Sign "Policy Acknowledgements"
 - c. Sign a "Statement of Understanding and Agreement for Members of the Board of Trustees"
3. Other Considerations:
 - a. Parking
 - b. I.D. Badge
 - c. Liability Insurance applies (not workers comp insurance)

Current Constituents

- Board of Trustees
- Alumni Association members
- Council of Regents

SECTION C – TIMEKEEPING AND PAYROLL PRACTICES

EMPLOYEE CLASSIFICATION

FULL-TIME EMPLOYEES

Full-time employees are those normally scheduled to work at least **thirty (30)** hours per week, as determined by the University in its sole discretion and is a general employee classification used by the University for a variety of purposes. Employees not classified by the University as “full-time” may still be eligible for medical insurance coverage, depending on their position and hours of service. Consult the applicable plan document for all information regarding eligibility, coverage, and benefits. The plan document ultimately governs your entitlement to benefits.

PART-TIME EMPLOYEES

Part-time employees are those normally scheduled to work fewer than **thirty (30)** hours per week, as determined by the University in its sole discretion.

TEMPORARY EMPLOYEES

Temporary employees are those employed to work seasonally on special projects for short periods of time, or on a “fill-in” basis. These positions are *not* intended to be a part of continuing operations. The employment status of temporary employees will not be changed due to an extension of employment, more than that originally planned. Unless otherwise required by applicable law, temporary employees are not eligible for University benefits, and temporary employees always remain employed at will.

NON-EXEMPT EMPLOYEES

Non-exempt employees include all employees who are covered by the overtime provisions of the Fair Labor Standards Act and California state law.

EXEMPT EMPLOYEES

Exempt employees include all employees who are classified by the University as exempt from the overtime provisions of the Fair Labor Standards Act and California state law.

If you have any questions concerning your employee classification or the benefits for which you qualify, please consult the Human Resources Department or the applicable benefit plan document.

REHIRED EMPLOYEES

Employees who are rehired following a break in service more than one month, other than an approved leave of absence, are considered new employees from the effective date of their re-employment for all purposes, including for the purpose of determining benefit eligibility.

AFTER HOURS / OFF THE CLOCK POLICY FOR NON-EXEMPT (HOURLY) EMPLOYEES

MBKU non-exempt hourly employees are not required and are not expected to check voicemails, email, or other University related software outside of their regularly scheduled work hours. *To prevent unauthorized or inadvertent violation of University Policy*, MBKU emails and other data are not to be forwarded or transmitted to a non-exempt employee's personal email account or personal computer. Likewise, non-exempt employees should not set their smart phones to retrieve work related emails.

On those unusual occasions when a need may arise, non-exempt employees are required to get administrative authorization before working after hours. This includes using remote access technology (smart phones, laptops, etc.) to access or retrieve emails, texts, or other data for work related purposes. Employees are obligated to report all such time worked.

As a reminder: No one has the authority to allow or ask, directly or indirectly, any non-exempt employee to perform work "off the clock", that is, to work without compensation being given. Non-exempt employees are prohibited from working "off the clock," whether requested or voluntarily. Employees who violate this policy are subject to disciplinary action up to and including termination.

ATTENDANCE AT LECTURES, MEETINGS, AND TRAINING PROGRAMS

The University is not responsible for the payment or reimbursement of any wages, costs or expenses associated with attendance at lectures, meetings and/or training programs unless attendance is requested or approved by the University.

CALCULATION OF WAGES

Non-exempt employees will be paid on an hourly basis for all hours worked and all compensated absences within each pay period. Exempt employees will be paid on a salary basis, which is paid in 24 equal payments.

COMPENSATORY TIME OFF

EXEMPT EMPLOYEES

Exempt employees are paid a fixed salary that is intended to cover all the compensation to which they are entitled. Because of their exempt status, such employees are not entitled to additional compensation or compensatory time off for extra hours of work performed while doing their job. The University does not maintain any compensatory time off plan or arrangement. Accordingly, any additional time off that is provided to an exempt employee is done on an informal basis. Neither extra compensation nor compensatory time off will, under any circumstances, be owed or payable to an exempt employee upon separation from the University's employ for any reason.

NON-EXEMPT EMPLOYEES

Non-exempt employees are entitled to overtime pay whenever they perform overtime work. The State of California and therefore the University does not permit employees to take time off in lieu of receiving overtime pay. If an employee clocks out and then is requested to perform work duties, the employee is responsible for notifying his or her supervisor to correct his or her time record to reflect all time worked. No individual, including an employee's supervisor, has the authority to grant compensatory time off in lieu of overtime compensation or request work to be performed "off the clock." Supervisors or any individual in authority granting such time or making such requests will be subject to disciplinary action up to and including termination.

FLSA EXEMPTIONS (EXECUTIVE, ADMINISTRATIVE, PROFESSIONAL, COMPUTER EMPLOYEES)

Exempt and non-exempt status of any employee or position must be determined based on whether the employee's actual duties, responsibilities and salary meet all the FLSA requirements for exemption. Human Resources is responsible for determining the exempt or non-exempt status of positions/employees.

GARNISHMENT OF WAGES

MBKU is committed to complying with federal and state mandatory wage garnishment regulations and court orders issued or made by federal and state governmental agencies. Notification will be sent to the employee prior to garnishment withholding begins.

MAKE-UP TIME

When a non-exempt employee's personal obligations result in lost work time (partial workday), it is possible for the employee to make up this time in the same workweek without causing the make-up time to fall under the overtime provisions as noted below:

- Employees must make the request in advance by email to their supervisor for each occasion they want to take advantage of the make-up time provision. The Supervisor must approve the request **before** the employee can take the time off or work the additional make-up hours.
- Make-up time must occur within the **same** 7-day workweek (workweek is Sunday at 12:01 am through Saturday, midnight).
- When the employee makes up the time, he or she should clock out at his or her normal time and then clock back in the Payroll system using the "Make-up Time" pay code and then the employee would clock out at the end of the make-up time (the supervisor may need to adjust the punch to "Make-up").
- Make-up hours do not count toward overtime except for hours in excess of eleven (11) hours in a workday or forty (40) hours in a workweek.

MEAL PERIODS

Except for exempt employees, it is our policy to provide and afford all employees who work more than five (5) hours in a work day with an uninterrupted thirty (30) minute meal period free from all duty to begin no later than

the end of the 5th hour of work and a second uninterrupted thirty (30) minute meal period free from all duty to commence no later than the end of the 10th hour of work, should an employee work that many hours in any given day. Only in limited circumstances, discussed below, can meal periods be waived.

For this reason, unless there is a written agreement for an on-duty meal period approved by Vice President of Human Resources, employees must record the beginning and ending time of their meal period(s) every day. It is our policy to relieve you of all duty during your meal periods, so that you are at liberty to use the meal period time as you wish. You may leave the premises for your meal period if you so desire. The University schedules all work assignments with the expectation that all employees will take their duty-free meal periods and we encourage you to do so. You may be asked to confirm in writing that you have been relieved of all duty and otherwise provided all your meal periods during a particular pay period, or in the alternative, identify any meal periods during which you were required to work. At no time may any employee perform off-the-clock work or otherwise alter, falsify, or manipulate any aspect of their timekeeping records to inaccurately reflect or hide meal periods or time spent working during meal periods.

Please note that no University manager or supervisor is authorized to instruct you how to spend your personal time during a meal or rest period. You should immediately report a manager's or supervisor's instruction to skip or work during a meal or rest period to the Human Resources Department. The University strictly prohibits retaliation against any employee who reports violations of the University's meal and rest period policies.

Waiver of Meal Period. You may waive your meal period only under the following circumstances:

If you complete your workday in six (6) hours or less, you may waive your meal period as approved by your supervisor.

If you work over ten (10) hours in a day, you may waive your second meal period only if you have taken your first meal period that day and you do not work more than twelve (12) hours on that day. You may not waive your meal periods to shorten your workday.

On-Duty Meal Period. In limited situations, certain designated employees may be authorized to work an "on-duty meal period" when the nature of the employee's duties prevent the employee from being relieved of all duty. You will be permitted to take an on-duty meal period only if the nature of your job duties requires it and you and the University have agreed to an on-duty meal period in writing. In this situation, your on-duty meal period will be paid, and treated as hours worked. The on-duty meal period agreement is revocable by you or the University at any time.

The University pays one-hour of premium pay to non-exempt employees at their regular rate of compensation for each day during which they are required by the University to work during one or more meal periods or if the University has not otherwise provided them with an opportunity to take one or more meal periods on any day

in accordance with this policy. Because this should be an exceptional occurrence, if you are aware of such a situation, please be sure to bring it to our attention without delay. The one-hour premium will not apply in situations where the meal period is waived as permitted by law, where an employee has a lawful on-duty meal period, or if an employee personally chooses to disregard the University's schedules or policies providing meal periods as required by law.

OVERTIME AND WORK SCHEDULE

The University may periodically schedule overtime work to meet business needs. We will attempt to give as much advance notice as possible, and we expect that all employees who are scheduled to work overtime will be at work. Otherwise, you are required to obtain advance approval from your supervisor *before* working overtime or hours beyond your regular work schedule. Employees who work overtime or off-schedule hours without prior authorization by their supervisor are subject to disciplinary action, up to and including termination of employment.

Your supervisor will inform you of the hours you are to work. Due to changing business needs, your actual work schedule may vary from time to time. If it does, you will be notified by your supervisor. Management retains the right to reassign employees to a different shift where it is necessary for the efficient operation of the University.

OVERTIME

Non-exempt employees shall be paid for their hours worked in accordance with all legal requirements. For purposes of calculations, the standard workweek begins at 12:01 a.m. Sunday. All overtime worked by a non-exempt employee must be approved in advance by the employee's supervisor. Non-approved overtime will be paid, but the employee may be subject to disciplinary action. If it is discovered that a non-exempt employee clocked out and continued to work "off the clock," he or she will be paid for the time and may be subject to disciplinary action up to and including termination.

Exempt employees may have to work hours beyond their normal schedules as work demands require. No overtime compensation will be paid to exempt employees.

All non-exempt employees qualify for overtime pay as follows:

1. **Straight Overtime** – Time and a half for hours worked beyond eight in a workday, over 40 in a workweek or any hours worked on the 7th consecutive workday in a workweek. Hours paid that are not worked, (e.g., holidays, bereavement, sick days, jury duty, PTO, and vacation days) do not count as hours worked for the purpose of calculating overtime.
2. **Double-time** – Double time is paid for hours worked beyond twelve (12) in a workday and for all hours worked beyond eight (8) on the seventh (7th) consecutive workday of the workweek, which is Saturday.
3. **Weekends** - Weekend work does not automatically qualify for compensation at a premium rate of pay. Hours worked on weekends will be eligible for overtime as noted above.

4. **Holidays Worked** - Non-exempt employees who work on a University observed holiday shall be paid their straight-time rate of pay for hours worked on the holiday, plus receive the regular holiday pay, if eligible, for that day.

PAYROLL PERIOD, PAYDAYS AND PAYCHECKS

We offer direct deposit of employee paychecks to all employees who submit the proper forms in the payroll system, and we encourage employees to enroll in direct deposit.

We process payroll on a semi-monthly basis with paydays on the 7th and 22nd of each month. Paychecks not distributed through Direct Deposit will be mailed on the normally scheduled pay day. If the scheduled payday falls on a weekend or holiday, paychecks and direct deposits will generally be distributed on the preceding business day. Any questions about the amount of your pay or deductions should be brought to the attention of the Payroll Specialist immediately.

PAYROLL TAX WITHHOLDING AND EXEMPTION CERTIFICATES

The University, in accordance with legal requirements, collects state and federal payroll taxes. Each employee must complete a withholding exemption certificate (IRS Form W-4) at the time of hire; California state withholding exemption certificate Form DE-4 is also available. This information determines the amount of income taxes withheld. Any change in material information, such as family status, that affects exemptions, must be reported and a new W-4 completed, on-line in the Payroll System. A statement of earnings and taxes withheld (W-2) is made available to employees on or about the end of January of each year, through the Payroll Self Service and a copy will be passed out by the Accounting/Payroll department as well, by the end of January.

PERMISSION TO LEAVE DURING WORK HOURS

If it becomes necessary for an employee to leave the University premises prior to the conclusion of the scheduled workday, prior to leaving, permission must be obtained from the employee's supervisor. In the case of the supervisor's absence, another supervisor should be notified. If no supervisor is available, the employee should notify Human Resources. Non-exempt employees who leave the premises for reasons other than University approved business must document the absence by making the appropriate entry on their electronic time record.

PROMOTIONS AND SALARY INCREASES

It is the University's policy to encourage and promote the professional growth of each employee. Therefore, based upon an employee's qualifications, preference will be given to current employees whenever possible in filling available positions. Assessments of skills necessary to perform the essential tasks and measuring a candidate's suitability for a position may be used in the recruitment process for internal and external candidates. Promotions, lateral transfers, or title changes do not automatically result in a salary change.

RECOVERY PERIODS

The University provides employees working in conditions exceeding 80 degrees Fahrenheit with the opportunity to take an uninterrupted cool-down period of at least five (5) minutes as needed to avoid overheating. In high-heat situations when employees are working in conditions equaling or exceeding 95 degrees Fahrenheit, the University requires employees to take a minimum of ten (10) minutes of net preventive cool-down time every two (2) hours.

Employees are permitted to access the provided shaded area and drinking water at any time to avoid heat illness. Cool-down periods are counted as hours worked. You are not required to record your cool-down periods.

It is our policy to relieve employees of all duties during cool-down periods. As such, no supervisor is authorized to instruct you to waive or skip a cool-down period. You should immediately report a manager's or supervisor's instruction to skip, shorten, or work during a cool-down period to the Human Resources Department.

The University pays one-hour of premium pay to non-exempt employees at their regular rate of compensation for each day during which they are required by the University to work during one or more recovery periods or if the University has not otherwise provided them with an opportunity to take one or more recovery periods on any day in accordance with this policy. Because this should be an exceptional occurrence, if you are aware of such a situation, please be sure to bring it to our attention without delay. The one-hour premium will not apply in situations where an employee personally chooses not to take a discretionary recovery period or to disregard the University's schedules or policies providing discretionary recovery periods as required by law.

REST PERIODS

The University provides non-exempt employees with the opportunity to take a net fifteen (15) minute paid rest period for every four (4) hours worked (or major fraction thereof), which should be taken so far as practicable in the middle of each four-hour work period. During your rest periods, you will be relieved of all duty so that you can enjoy this personal time. You may leave the premises for your rest period if you so desire. Rest breaks will be provided as follows:

Shift (Hours Worked in Day)	Number of Paid Rest Breaks
At least 3.5 and up to 6 hours	1
More than 6 and up to 10 hours	2
More than 10 and up to 14 hours	3
More than 14 hours	Continue under the above schedule

The University generally will not authorize a rest period for employees whose total daily work time is less than three and one-half (3 ½) hours. Employees are generally authorized and permitted to schedule their rest periods at their own discretion under these guidelines; however, a supervisor may ask that rest periods be scheduled

to best ensure the smooth operation of their Department. Rest periods may not be combined with other rest or meal periods.

Rest periods are “on the clock” and counted as hours worked, and thus, you are not required to separately record your rest periods on your timecards or the University’s timekeeping system. If your rest period is interrupted, you must notify your supervisor immediately so that arrangements can be made for you to take a further, uninterrupted, rest period required by University policy. No supervisor is authorized to instruct you to waive a rest period, and rest periods cannot be used to shorten the workday or be accumulated for any other purpose. Rest periods can be waived provided they are waived by an employee without any coercion from a supervisor and the waiver is purely voluntary. You may be required to confirm that you have been provided an opportunity to take all your duty-free rest periods during a particular pay period (including pay periods when one or more rest periods have been voluntarily waived by you).

The University pays one-hour of premium pay to non-exempt employees at their regular rate of compensation for each day during which they are required by the University to work during one or more rest periods or when they are not otherwise provided an opportunity by the University to take one or more rest periods on any day in accordance with this policy. Because this should be an exceptional occurrence, if you are aware of such a situation, please be sure to bring it to our attention without delay. The University strictly prohibits retaliation against any employee who reports violations of the University’s rest period policy. The one-hour premium will not apply in situations where an employee personally chooses not to take a rest period or to disregard the University’s schedules or policies providing rest breaks as required by law.

SALARY REDUCTIONS

Certain salary reductions can be made to paychecks with the employee's written permission. These salary reductions will reduce the employee's gross salary before taxes. Salary reductions include but are not limited to tax sheltered annuity, Sec. 125 Flexible Spending Accounts, University sponsored health and dental insurance premiums and salary over-payments.

In addition, certain deductions required by law will be made from each employee's wages. These include state and federal income taxes, social security taxes (FICA), and state disability insurance (SDI) payments. Other deductions may be made from an employee’s paycheck with the employee’s written permission including, but not limited to benefit premiums, voluntary retirement contributions, health savings account (HSA), flexible spending account (FSA), charitable contributions and parking fees.

SALARY REVIEWS

To maintain equitable salaries for its employees, the University conducts ongoing comparative salary studies, which is one of the tools used in determining future salary increases. Wage adjustments, when deemed appropriate, can include a combination of merit, equity, or position adjustments. These changes generally

become effective at or near the beginning of the fiscal year (July 1). The University reserves complete discretion in determining if, when, on what basis, and in what amount an increase will be awarded.

TEMPORARY SCHEDULE CHANGES

An employee's regular schedule of hours determines the status and benefits they have at the University. Any change in the regular number of hours worked that could affect employment status to either full-time or part-time must have prior approval from both the supervisor and the VP for Human Resources. The maximum amount of time a part-time employee may temporarily increase his or her hours to over 30 hours per week is three months. The employee should contact the HR Department to see how the increase or decrease in hours may affect his or her benefits. Temporary fluctuations in hours may not impact benefits.

TIMEKEEPING PROCEDURES

Our workweek starts on Sunday at 12:01 am and runs through Saturday at midnight. Unless otherwise notified, you are required to accurately record your hours of work in the Payroll System. Accurately recording all your time is required to be sure that you are paid for all hours worked as required by the wage and hour laws.

Working "off the clock" is strictly prohibited. If any manager or supervisor directs you to, or suggests that you should, perform work while not "on the clock," you must notify the Human Resources department immediately. Similarly, non-exempt employees are not permitted to perform work after hours or from home without specific direction from their supervisor. In the event such work is authorized, all time spent working must be reported on the employee's time record.

Any changes or corrections to your time records must be approved by you and your Department Manager. Under no circumstances should any employee record another employee's time.

WORK SCHEDULES

While each employee generally works a set schedule of hours, it should be noted that the University does not guarantee any number of hours and reserves the authority to schedule employees and to deviate from normal shifts in whatever manner deemed appropriate including increasing or decreasing work schedules.

SECTION D - BENEFITS

The University provides the following benefits to eligible employees. The University reserves the right to terminate or modify these plans at any time for any reason. It is important that employees notify the HR Department promptly (within 30 days) of any changes in name, marital status, dependent status, home address, and/or telephone number(s).

BENEFIT SUMMARY BY CATEGORY

Hire date, classification and number of scheduled hours determine eligibility for benefits.

FULL-TIME ADMINISTRATOR AND STAFF EMPLOYEES

(For the purpose of determining benefits only – weekly schedule: 30 to 40 hours)

- Bereavement
- Credit Union Membership
- Dental Insurance
- Employee Assistance Program
- Fitness Center
- 403(b) Voluntary Retirement Savings Plan
- Flexible Spending Accounts (Pre-tax)
- Holidays
- Life and Accidental Death and Dismemberment Insurance
- Medical Insurance
- Paid Time Off
- 401(a) Pension Plan
- Service Awards
- Short-Term Disability Benefit and Long-Term Disability Insurance
- Sick Leave
- Vacation
- Vision Care
- Voluntary Pre-Paid Legal & Voluntary Term Life Insurance

PART-TIME STAFF EMPLOYEES

(For the purpose of determining benefits only – weekly schedule: 20 to 29 hours for staff employees only. Part-time faculty benefits are outlined in the faculty handbook.)

- Bereavement
- Credit Union Membership
- Employee Assistance Program

- Fitness Center
- Flexible Spending Accounts (Pre-tax)
- 403(b) Voluntary Retirement Savings Plan
- Holidays
- Paid Time Off
- 401(a) Pension Plan
- Service Awards
- Sick Leave
- \$10,000 Life Insurance and Accidental Death and Dismemberment
- Vacation
- Vision Care
- Voluntary Pre-Paid Legal
- Voluntary Term Life Insurance

LIMITED PART-TIME STAFF EMPLOYEES

(For the purpose of determining benefits only – weekly schedule: 19 hours or less for staff employees only.)

- Bereavement
- Employee Assistance Program
- Fitness Center
- 403(b) Voluntary Retirement Savings Plan
- Holidays
- Paid Time Off
- Sick Leave
- Service Awards
- \$10,000 Life Insurance and Accidental Death and Dismemberment (8 hours minimum)
- Vision Care
- Voluntary Pre-Paid Legal

Note: Limited part-time employees hired prior to 07/01/2020 still receive holiday pay as well as prorated PTO and vacation. Anyone hired after 07/01/2020 or have his/her hours decreased below 20 hour a week 07/01/2020 or later, will not receive holiday pay, PTO, or vacation accruals.

SEASONAL, TEMPORARY, CONTRACT OR FILL-IN STATUS

(No set schedule of hours)

Not eligible for any University-sponsored benefits. Additional benefit information can be obtained by contacting an HR representative.

BENEFIT EFFECTIVE DATES

Effective upon date of hire:

Bereavement
 403(b) Voluntary Retirement Savings Plan
 Holiday / University Closures
 Paid Time Off Accrual
 Sick Leave Accrual
 401(a) Pension Plan*
 Vacation Accrual
 Vision Care

Effective on the 1st of the month following date of hire coinciding with current month.

For example:

Date of Hire = October 1, effective date = October 1

Date of Hire = October 15, effective date = November 1

Dental Insurance
 Medical Insurance
 Employee Assistance Program (EAP)
 Flexible Spending Accounts (Pre-tax)
 **Life and AD&D Insurance
 Long Term Disability Insurance
 Voluntary Life Insurance

**401a Pension Plan Eligibility: Eligible if expected to work 1,000 hours within the first 12 months of employment or within the relevant Eligibility Computation Period.*

***Effective date for life and AD&D insurance for part-time employees is the first of the month following one year of continuous service. Participation requires a minimum schedule of 8 hours per week.*

VACATION

The University provides vacation benefits to all regular full-time and regular part-time employees working at least 20 hours. Beginning the first day of employment, vacation will be accrued as follows, subject to the indicated accrual caps:

Employee's Continuous Length of Service	Amount of Per Payroll Accrual	Amount of Vacation Days Accrued per Year	Max Accrual Cap
Hire date to 48 months (4 years)	3.34 hours	80 hours/2 weeks	160 hours
48 months (4 years) + 1 day to 108 months (9 years)	5. hours	120 hours/3 weeks	240 hours
108 months (9 years) + 1 day and greater	6.67 hours	160 hours/4 weeks	320 hours
Executives and full-time faculty upon hire	6.67 hours	160 hours/4 weeks	320 hours

Vacation may not be accrued more than the applicable maximum accrual cap above. Once your unused and accrued vacation reaches the maximum cap, you will not accrue any additional vacation time until prior vacation time has been used and your accrued balance falls below the maximum accrual cap.

Vacation time is provided so that you are better able to perform your job when you return. For this reason, the University requires employees to take their vacation and does not permit employees to take pay in lieu of time off. There is no retroactive grant of vacation for the period of time the accrued vacation benefit was at the cap. Employees can verify their balances online through Paycom and are responsible for keeping an eye on balances reaching the maximum accrual.

Vacations must be scheduled and approved by your supervisor at least two (2) weeks in advance. The University, at its sole discretion, may require you to take your vacation at a particular time, and may also refuse your application for vacation where University needs dictate. Employees who are out on a leave of absence do not accrue vacation time while on leave. All accrued but unused vacation pay is paid out upon separation. Exempt staff and administrators working any part of a workday will be paid for the day. If an exempt staff or administrator would like to schedule more than a half of day off, the manager has the authority to approve the partial time off request, which would not require wage replacement, or the manager could request the employee to take a full day off. In no circumstances will the exempt staff or administrator be required to use wage replacement for a partial day absence. Partial day off requests will not be documented in the payroll system.

There is no provision for vacation time advances. Employees wishing to take time off without pay, after they have exhausted all vacation and PTO time, must discuss their request with their supervisor and Human Resources. Any accrued, unused PTO time must be applied before taking approved time off without pay.

Changing vacation leave to sick leave is only possible if the VP for HR is (1) notified at the onset of the illness, or (2) if a statement from a physician is provided upon return. For example, if a person becomes ill while on vacation, the time off is counted as vacation time unless one or the other condition is met.

Disability Related Lump Sum Distribution: Employees who are eligible for and have filed a Long-Term Disability claim may request a lump sum distribution of the balance in their vacation account as long as the request is made prior to the 90th day of the disability.

Effect on Holidays within Vacation: Holidays that fall within a scheduled period of vacation will be counted as a holiday and not charged against vacation.

Effects on Leave of Absence and Break in Service: See Leaves of Absence and the Effects on Benefits in section E.

Required Use of Vacation Before Unpaid Leave: An employee is required to use all accrued and unused vacation before taking unpaid leave or having unpaid absences. Family and Medical Leave (under both State and Federal law) is included in this requirement, unless the absence is pregnancy-related, and/or the employee is receiving a wage replacement through the state benefits, and/or receiving wage replacement through an employer-provided benefit.

SICK LEAVE

The University provides paid sick leave to all employees. Sick leave is awarded at time of hire and the year runs calendar year. Eligible employees will receive forty (40) hours, or five (5) days of paid sick leave each year. At the beginning of each sick leave year, employees will be granted the full forty (40) hours or five (5) days of paid sick leave up to their max accrual of either 80 hours (for those employees eligible for only CA sick leave) or 360 hours. If you have questions about eligibility, please contact Human Resources. Sick leave cannot be taken in increments of less than two (2) hours.

Leave under this policy may be used in connection with the diagnosis, care, or treatment of an existing health condition of, or preventive care for, the employee or the employee's family member or a designated person. "Family member" for purposes of this policy includes a spouse, registered domestic partner, child (regardless of the child's age), parent (including a step-parent or parent-in-law), grandparent, grandchild, or sibling. "Designated person" for the purposes of this policy is a person identified by the employee at the time the employee requests paid sick days. Employees will be limited to identifying one (1) designated person per twelve (12)-month period. Leave under this policy may also be used by an employee who is a victim of domestic violence, sexual assault, or stalking to seek aid or medical attention, obtain services or counseling, or participate in safety planning. Sick leave may also be used for bereavement leave within three (3) months of the death of an employee's family member.

Employees requesting time off under this policy must provide as much advance notice as possible. Where your need for paid sick leave is unforeseeable, you must provide notice as soon as practicable. Employees must also inform their supervisors of the expected duration of any absence. If the duration is unknown, the employee must call in each day until he or she returns, unless extenuating circumstances exist. A voicemail message, email or text message is not considered acceptable notification. If personal contact within the department is not successful, a call to HR is expected. If an employee is absent longer than 7 calendar days due to illness, the supervisor should notify HR, who will then contact the employee regarding a possible medical leave.

If an illness or disability lasts more than seven (7) calendar days, the employee is considered on a leave of absence (LOA) and must complete the appropriate paperwork with an HR representative. Sick leave cannot be used to extend or supplement a vacation.

Exempt employees who come to work and become ill and leave will be paid for the day. Wage replacement is not required in no circumstances will the exempt employee be required to use wage replacement for a partial day absence. Partial sick days will not be documented in the payroll system. All employees not feeling well should stay home to minimize the spread of illness.

The University will not take any adverse action against employees who utilize paid sick leave. However, employees who misuse or abuse this policy, e.g., misrepresent the reason for use of paid sick leave or use paid sick leave for vacation, may be subject to disciplinary action.

Unused time under this policy will not be paid out at the time of separation from employment. However, employees who are re-employed with the University within a year of separation will have any unused paid sick leave accrued under this policy reinstated.

Leave under this policy may run concurrently with leave taken under local, state, or federal law, including leave taken pursuant to the California Family Rights Act or the Family and Medical Leave Act. For more information regarding this policy, contact the Human Resources Department.

REQUIRED USE OF PAID SICK LEAVE BEFORE UNPAID LEAVE

Employees are required to take accrued and unused paid sick leave before taking unpaid leave or having unpaid absences. Family and Medical Leave (under both state and federal law) is included in this requirement unless employees are receiving wage replacement through state disability insurance (SDI), workers' compensation benefits or any other disability leave plan, and/or an employer provided benefit.

Employees who are absent because of their own disability may be eligible for State Disability Insurance (SDI) benefits. SDI payments do not begin until after an employee has been absent from work for 7 calendar days. If an employee has accrued paid sick leave, sick leave will be used for the first 7 days, before SDI payments begin. If they have no accrued sick leave, any accrued PTO benefits will be used during this waiting period. Accrued and unused vacation will be used once sick leave and PTO are exhausted.

SDI benefits do not replace all of an employee's usual wages. If the absence is also covered by Federal Family/Medical Leave (FMLA), an employee may choose to supplement their SDI benefits with sick leave. If an employee is not eligible for FMLA, they must supplement their SDI benefits with accrued sick leave. If they have no sick leave, or once they have exhausted their sick leave, accrued and unused PTO will be used to supplement their SDI benefits. Accrued and used vacation will be used once sick leave and PTO are exhausted.

If an employee is absent for a medical reason that qualifies them for Paid Family Leave (PFL) payments, PFL benefits do not replace all of an employee's usual wages. Employee PFL benefits will be supplemented with any accrued and unused sick leave. If they have no sick leave, or once they have exhausted sick leave, accrued

and unused PTO benefits will be used to supplement their PFL benefits. Accrued and unused vacation will be used once sick leave and PTO are exhausted.

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. When an employee reports a work-related illness or injury, they will be sent for medical treatment, if treatment is necessary. He or she will be paid their regular wages 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. If an employee has accrued unused sick leave, the additional absences from work will be paid with the use of sick leave.

If an employee does not have accrued, paid sick leave, or if they have used all of their sick leave, they may choose to substitute vacation/paid time off for further work absences related to their illness or injury.

PAID TIME OFF (PTO)

Paid Time-Off is a benefit provided to employees working at least 30 hours per week (.75 FTE or greater) for the purpose of personal leave, religious holidays, doctor appointments and other medically related time off needs when sick time is exhausted. **Part-time and adjunct faculty do not accrue PTO.**

The accrual for this benefit begins with the first day of employment and continues thereafter unless broken by a leave of absence or termination. Full-time employees working a 40-hour schedule will accumulate 1.67 hours per pay period. This benefit will be prorated for eligible employees working less than 40 hours and more than 20 hours. The maximum PTO accrual is the equivalent of a two-year accumulation or 10 days. Upon reaching this maximum, accrual will cease until the balance in this account falls below the maximum. Employees can verify their balances online through the employee self-service portion of the payroll system and are responsible for monitoring balances reaching the maximum accrual.

Employees obtain their supervisor's approval PRIOR to taking scheduled time off. Upon separation from the University, the balance in this account will be paid out to the employee on their final paycheck. Employees on a leave of absence (LOA) do not accrue paid time off. An employee may not use paid time-off before it is accrued.

Exempt employees working any part of a workday will be paid for the day. If an exempt employee would like to schedule more than a half of day off, the manager has the authority to approve the partial time off request, which would not require wage replacement, or the manager could request the employee to take a full day off.

In no circumstances will the exempt staff or administrative employee be required to use wage replacement for a partial day absence. Partial day off requests will not be documented in the payroll system.

Required Use of PTO before Unpaid Leave

Employees are required to take accrued and unused Paid Time-Off (PTO) before taking unpaid leave or having unpaid absences. Family and Medical Leave (under both state and federal law) is included in this requirement, unless an employee is receiving wage replacement through state disability insurance, workers' compensation benefits or any other disability leave plan; and/or leave is for a pregnancy-related disability; and/or the employee is receiving wage replacement through an employer-provided benefit.

Employees who are absent because of their own disability may be eligible for State Disability Insurance (SDI) benefits. SDI payments do not begin until after the employee has been absent from work for 7 calendar days. If an employee has accrued sick leave, sick leave will be used first for the first 7 days before SDI payments begin. If the employee has no accrued sick leave, or they have exhausted sick leave, accrued and unused PTO will be used for the first 7 days before SDI payments begin. Accrued and unused vacation will be used once sick leave and PTO are exhausted.

SDI benefits do not replace all an employee's usual wages. If the absence is also covered by Federal Family/Medical Leave (FMLA), employees may choose to supplement their SDI benefits with PTO. If an employee is not eligible for FMLA, they must supplement their SDI benefits with accrued PTO. An employee's SDI benefits will be supplemented with any accrued and unused sick leave first. If they have no sick leave or they have exhausted their sick leave, accrued and unused PTO will be used to supplement their SDI benefits. Accrued and unused vacation will be used once sick leave and PTO are exhausted.

If an employee is absent for a reason that qualifies them for Paid Family Leave (PFL) payments, PFL benefits do not replace all of an employee's usual wages. Their PFL benefits will be supplemented with any accrued and unused sick leave first, if used for medical reasons and PTO if used for bonding purposes. If they have no sick leave or once they have exhausted their sick leave (for medical uses of PFL), accrued and unused PTO will be used to supplement their PFL benefits. Accrued and unused vacation will be used once sick leave and PTO are exhausted accordingly.

PAID HOLIDAYS

Each year a calendar is sent out indicating the holidays to be observed by the University for the upcoming calendar year. Full-time, regular part-time employees and limited part-time employees are eligible for holidays that occur on their regular workdays as long as the employee is in current active status prior to and following the holiday. The number of holidays (and holiday hours) an employee receives in a calendar year is determined by his or her schedule. While there is no guarantee, an employee working a full 40-hour schedule will generally receive 17 holidays per year, including the year-end holiday closure.

Weekends and Vacations – When a scheduled holiday falls on Sunday, it will be observed by the University on the following Monday. When a scheduled holiday falls on a Saturday, it will be observed on the preceding Friday. Scheduled holidays that occur during an employee’s paid vacation will be considered a holiday and not counted as a vacation day.

Holidays Falling on Scheduled Day Off – When a holiday falls on the employee’s normal day off, he or she will neither receive holiday pay nor be eligible for another day off during the week.

Leaves of Absence and Sick Leave – Employees are not eligible for holiday benefits that occur while they are on a leave of absence. Employees who request intermittent leave the day before and the day after a holiday will be considered on leave status for purposes of holiday pay benefits.

Religious Holidays – Employees wishing to observe religious holidays not observed by the University should communicate this desire with their supervisor and with HR. Reasonable accommodation will be made to grant this time, which is charged to Paid Time Off (PTO) or Vacation. Time-off without pay will be granted when no accrued paid time-off benefits are available. Employees must submit, in advance, an electronic time-off request.

Computation of Benefits – The amount of compensation an employee will receive for a holiday shall be determined based on the employee’s normal schedule, excluding any overtime for the hours normally worked on that day of the week. Compensated holidays will not be considered hours worked for the purpose of computing overtime.

Working on Holidays – In addition to receiving eligible holiday pay, an employee will receive straight-time compensation for hours worked on the holiday.

Floating Holiday – Each year on July 1st (and upon hiring), eligible employees will receive 1 Floating Holiday (8 hours for full-time employees, prorated for eligible part-time employees) which can be used according to the policy posted on the MBKU portal.

401(A) PENSION PLAN

The University has established the MBKU University Sponsored Retirement Plan 401(a) for the benefit of all eligible employees. Initial eligibility requires that the employee is scheduled to work a minimum of 1,000 hours within their first 12 months of employment or during the relevant Eligibility Computation Period. Once in the plan, the employee becomes fully vested after three years of service. This Plan is a defined contribution plan funded entirely by the University in an amount equal to 7% of the employee’s gross salary. Enrollment in the plan may affect the deductibility of individual IRA’s. Retirement benefits are based on the value of the plan and vested interest at the time of separation. Rollover options are available. An employee can see the complete summary plan description on the portal.

403(B) VOLUNTARY RETIREMENT SAVINGS PLAN

All employees are encouraged to participate in the voluntary 403(b) Retirement Savings Plan. Contributing to the Plan in pre-tax dollars is a powerful advantage because it reduces current taxable income every year and contributions and earnings are not taxed until withdrawn. It is also easy. Contributions will be automatically deducted from the employee's paycheck and deposited into their account.

BENEFICIARY CHANGES

It is the responsibility of the employee to request beneficiary changes when desired. All changes must be made on the appropriate forms provided for each plan. This should be completed electronically on the HR/Payroll system. Retirement plan beneficiary changes should be made through the Lincoln Financial Group website.

CREDIT UNION MEMBERSHIP

Employees are eligible for a membership with SchoolsFirst Federal Credit Union and/or Wescom Credit Union. Information is available in the HR Department.

DENTAL INSURANCE

Eligible employees are provided with three dental care options to choose from including a DHMO (Dental Health Maintenance Organization) and two PPOs (Preferred Provider Organization Plans). Employees are required to contribute toward the cost of the plan in which they (and their dependents) are enrolled.

An Open Enrollment period is offered each Fall enabling employees an opportunity to change their benefit elections. Election changes are effective January 1 through December 31. Employees experiencing a life changing event, e.g. marriage, birth/adoption of a child, divorce or loss or addition of insurance coverage under another group plan may make changes within 30 days of the life changing event. Additional information may be obtained from the HR Department.

DUES REIMBURSEMENT (ADMINISTRATORS)

The University will reimburse Administrators for professional association dues that are integral to the Administrator's role, up to \$500 per fiscal year. Reimbursement for dues requires the applicable Vice President's approval. The Administrators are required to submit receipts for dues paid in the current fiscal year to obtain reimbursement. Faculty, see faculty handbook for dues reimbursement, professional fees, and DEA registration.

The University will reimburse the President, Vice Presidents and Deans for professional dues that are integral to their role. They are required to submit receipts for dues paid in the current fiscal year to obtain reimbursement.

To foster MBKU's community relations, the University maintains memberships in several community organizations.

EDUCATIONAL REIMBURSEMENT FOR ADMINISTRATORS AND STAFF EMPLOYEES

MBKU is committed to supporting all eligible employees who wish to enhance their education. The University values educational growth and encourages all MBKU employees to pursue associate, baccalaureate, and post baccalaureate degrees. In keeping with this philosophy, the University has established a tuition reimbursement program for certain educational expenses incurred at MBKU approved accredited programs. Acceptance each year will be based on the available budget and if budget is available, review and approval is made by the President and Vice President for HR.

Program highlights include:

- Employees working a minimum of 30 hours week/.75 FTE who have completed one year of employment.
- Courses or degree programs which can be beneficial to the University are eligible.
- Employees must attend a regionally accredited institution approved by MBKU.
- Employees must complete and submit a “Request for Tuition Reimbursement” form to Human Resources during Open Enrollment **prior to** the start of the educational program in the following year.
- Approved studies will be reimbursed up to a maximum of 60% per course, limited to two courses per semester.
- A maximum amount of \$10,000 will be eligible reimbursement per undergraduate program; and \$15,000 for graduate programs.
- Any amount received in excess of \$5,250 per calendar year will be taxed.
- Procedure is posted on the portal. Employees should contact the HR Department if they have any questions.

EMPLOYEE ASSISTANCE PROGRAM

The Employee Assistant Program (EAP) is available for a variety of personal and professional matters, including stress, depression, parenting, financial issues, relationships, mental health, drug/alcohol abuse, life changes, grief, balancing work and home.

The EAP has trained professionals to work with employees and their dependents as they search for solutions to personal and workplace issues. The program is voluntary and confidential; only EAP professionals will know employees have called. This program is paid for by the University and includes assistance for employees and their immediate dependent family members. Please contact Human Resources for additional information.

FITNESS CENTER

Full-time and part-time employees have access to the University’s Fitness Center. For the convenience of those using the Fitness Center, showers, lockers, and a change room are provided. The Center is open during regular campus hours. Regular campus hours are 6:00 am – 1:00 am. Only employees and students can use the Fitness Center and only after a Waiver of Liability and Indemnity has been completed with HR.

FLEXIBLE SPENDING ACCOUNTS (PRE-TAX)

Flexible Spending Accounts (FSAs) provide employees (working a minimum of 20 hours a week) with the opportunity to pay for certain out-of-pocket health and dependent care expenses with pre-tax salary dollars. Money set aside in these accounts is not subject to Federal income tax, California State income tax or Social Security Tax making it possible to receive a higher value for the dollar earned. The following accounts are available:

Health Care FSA: A medical FSA covers general-purpose health expenses and can be used for qualified expenses such as prescription drugs, insurance copayments and deductibles, and medical devices.

Limited Health Care: A limited medical FSA covers qualifying dental, vision, and preventive care expenses and can be paired with a health savings account (HSA)

Dependent Care: A dependent care FSA helps participants save money on eligible dependent care services, such as child (up to age 13) or adult daycare, before- or after-school programs, summer day camp, and more!

HEALTH INSURANCE CONTINUATION (COBRA)

Under the provisions of the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA), employees and their families can temporarily extend health coverage at group rates in certain instances where coverage under the plans would otherwise end. Under certain circumstances employees are also eligible for Cal-COBRA at the end of COBRA coverage.

HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)

The University maintains health care and related plans that are subject to HIPAA requirements. In an ongoing effort to protect MBKU's employees and maintain confidentiality, the University will adhere to the HIPAA privacy and security provisions as it applies to protected health information (PHI) maintained by the University.

LIFE AND ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE

All eligible employees will receive term life insurance at an amount determined by type of schedule. Full-time employees have policies valued at their annual salary rate (up to a maximum of \$150,000) and have the same effective date as their other insured benefits. Regularly scheduled part-time employees working a minimum of hours per week or 0.20 FTE, after one year of employment, receive a flat \$10,000 term life insurance policy. The policy amount reduces 50% at age 80 and terminates at retirement.

All regularly scheduled employees will receive Accidental Death and Dismemberment insurance at the same amounts and effective dates as their Life Insurance coverage. The full benefit is paid to beneficiaries for accidental death in addition to the life insurance policy. Dismemberment benefits are paid at 50% - 100%.

LITERACY ASSISTANCE

The University will reasonably accommodate and assist employees with their literacy needs, provided the requested accommodation does not create undue hardship for the University. Employees who need time off to participate in an adult education program for literacy assistance should inform the Human Resources Department, so arrangements can be made to provide unpaid time off or an adjusted work schedule. The University will make reasonable efforts to safeguard the employee's privacy with respect to such a request. Employees may choose to use any accrued PTO, vacation benefit, if available, in lieu of unpaid leave.

MEDICAL INSURANCE PLANS

Eligible employees are provided with two or more health care options to choose from including an HMO (Health Maintenance Organization) or PPO with HSA (Health Savings Account with a high deductible health plan). Employees are required to contribute toward the cost of the plan in which they (and their dependents) are enrolled.

An Open Enrollment period is offered each Fall enabling employees an opportunity to change their benefit elections. Any election changes are effective January 1 through December 31 . Employees experiencing a life changing event, e.g. marriage, birth or adoption of a child, divorce or loss or addition of insurance coverage under another group plan may make changes within 30 days of the life changing event. Additional information can be obtained from the HR Department.

RETIREE BENEFITS

The University has developed a special retirement package for those individuals who have devoted a good portion of their working careers to the University. The milestone that one must reach to obtain these benefits is as follows: Must have worked a minimum of 10 years (current and consecutive) with the University and be at least 50 years old upon leaving the University. The employee is entitled to the following benefits:

- Selection of a retirement gift which comes from the next service award level
- Continuing use of access card for ID purposes *
- Use of Fitness Center
- Continuation of vision services at the UEC for employee and spouse/domestic partner only
- Lifetime access to the Library
- Tuition waiver for MBKU Continuing Education programs

* Access limited to the Parking Structure and Fitness Center; ID used for Library privileges.

The University President has the right to modify this policy at any time. The retiring employee is requested to notify the University if they would like to exercise these benefits otherwise the access card will be collected upon separation and a new access card will not be issued.

SHORT- AND LONG-TERM DISABILITY INSURANCE

If an illness or disability lasts more than seven (7) calendar days, the employee is considered on a leave of absence (LOA) and is encouraged to apply for State Disability Insurance (SDI) benefits. The University requires all employees to complete a LOA request form and furnish medical certification to confirm the medical necessity of the leave.

If the illness or disability is expected to last beyond thirty (30) calendar days, eligible employees will be covered by the University's self-funded Short-Term Disability (STD) benefit from calendar day 31 through calendar day 90. This STD benefit will coordinate with other income benefits the employee may qualify to receive to the extent necessary to provide benefits equal to the employee's straight-time compensation immediately before the beginning of the illness or disability. An employee must have completed at least 12 months of service and be classified as a full-time employee to be eligible for the University's STD benefit. If an employee does not qualify for State Disability, he or she would not qualify for the STD benefit.

Paid Time-Off (PTO), Sick Leave, and Vacation are to be used during the first 30 days of an illness / disability to supplement SDI benefits to the extent necessary to provide benefits equal to straight-time compensation immediately before the beginning of the illness / disability.

Full-time employees are provided Long-Term Disability protection for serious disabilities. This LTD benefit will begin after an elimination period of ninety (90) days of disability and upon approval of the claim. The monthly benefit is an amount equal to 66 2/3 of covered monthly earnings, subject to a minimum and a maximum benefit. LTD benefits coordinate with other income benefits which an employee might qualify to receive to achieve the 66 2/3% benefit. This is a University-paid benefit making the income received from this benefit taxable.

Benefits under the vacation plan may also be paid out in a lump sum prior to a disability reaching 90 days. The University may, at any time, require employees on disability leave to furnish additional medical certification to substantiate the medical need for their absence.

A release from the employee's health care professional giving permission for the employee to return to work must be received by an HR representative no later than the return-to-work day.

SUPPLEMENTAL INDIVIDUAL DISABILITY (IDI)

Eligible full-time employees with annual base earning \$180,000 or more are provided with the employer-sponsored Individual Disability plan. This benefit offers an additional monthly benefit supplementing the long-term disability benefit. This IDI benefit will begin after an elimination period of ninety (90) days of disability and upon approval of the claim. Additional information can be obtained from the HR Department.

SOCIAL SECURITY

All employees are covered by the Social Security Act and are subject to taxes under the Federal Insurance Contributions Act (FICA). A deduction is made from each employee's gross earnings in accordance with Federal law as the employee's contribution to Social Security. The University contributes an additional amount equal to that paid by each employee. Social Security benefits include retirement, disability, and survivor's benefits.

STATE MANDATED INSURANCE BENEFIT PROGRAMS

STATE DISABILITY INSURANCE

The University is required by law to deduct a certain amount from your pay to provide State Disability Insurance ("SDI"). SDI benefits are payable when you cannot work because of illness or injury unrelated to your employment. For information concerning these benefits, contact the California Employment Development Department, which administers the SDI program. The University's short term and long term disability coordinates with SDI.

PAID FAMILY LEAVE

The University is also required to withhold a certain percentage of your wages pursuant to the Family Temporary Disability Insurance Act ("FTDI") in order to fund the Paid Family Leave (PFL) Program. PFL is another disability benefits program that is administered by California's Employment Development Department which allows you to receive compensation for lost wages, for up to eight (8) weeks in a twelve (12) month period, if you take time off work to provide care for a seriously ill child, spouse, parent, domestic partner, grandparent, grandchild, sibling, parent-in-law, or to bond with a new child.

Despite its name, PFL does not provide you with any entitlement to leave beyond what you are entitled pursuant to University policy. You may elect to use your sick leave during receipt of PFL benefits. You must notify the University if you intend to file for PFL benefits.

All claims for PFL benefits must be submitted directly to the California Employment Development Department. The Employment Development Department ultimately determines whether you are eligible to receive PFL benefits. You will not be eligible for PFL benefits if you are receiving State Disability Insurance, Unemployment Compensation Insurance, or Workers' Compensation benefits.

TUITION REDUCTION

A dependent of a current full-time employee who has been employed by the University for 10 or more years will be eligible for a 50% tuition reduction in any program offered by the University. Employees interested in this significant benefit should speak to their Dean or Program Director who will forward inquiries to the VP of Human Resources for processing an application.

Current full-time employees who have served between 5 and 9 years are eligible for the benefit on a pro-rated basis (e.g. 6 years - 10%, 7 years - 20%, 8 years - 30%, 9 years - 40%). Those current employees who have been with MBKU on a part-time basis for 10 or more consecutive years are eligible for a tuition waiver benefit on a proportional basis equal to one-half the average FTE/hours worked of their previous five years.

A Trustee or dependent of a Trustee currently serving on the University Board of Trustees at the time of application will be eligible for a 50% tuition reduction. For Trustees having served 3 years or longer, the benefit shall be in effect until program completion. For Trustees who resign with less than 3 years of service, the benefit shall terminate with the completion of the quarter coinciding with the resignation of the Trustee. In the event a Trustee is also an employee of the University, the total benefit shall be limited to a 50% tuition reduction. The Trustee tuition reduction will be recommended by the University President to the Board of Trustees for final approval.

Dependent eligibility is as follows:

- Natural or adopted child of employee/Trustee
- Stepchild and is claimed by the employee/Trustee as a dependent on his or her federal income tax return
- Legal spouse or domestic partner of an eligible employee/Trustee

VISION CARE BENEFITS

Regularly scheduled full-time and part-time employees and their immediate family members are entitled to 100% fee waiver for all diagnostic service charges and may purchase dispensing materials at cost, excluding contact lens materials. This benefit goes into effect upon the first day of hire. All fee waivers must be obtained 48 hours in advance, from the Patient Relations Supervisor in the University Eye Center at Fullerton.

VOLUNTARY TERM LIFE INSURANCE

Supplemental Term Life Insurance is available to employees who work a minimum of 20 hours per week. The premiums are at group rates; the policy can be converted as a term policy at termination; dependent coverage is available; the insured can receive up to fifty percent of their principal sum, not to exceed \$100,000, if diagnosed as terminally ill.

WORKER'S COMPENSATION INSURANCE

The University pays the entire amount of its Workers' Compensation insurance premium, which provides benefits to employees who experience injury or illness that arises out of the course and scope of employment. It is essential that you report all work-related accidents, injuries, and illnesses immediately. You should be aware that California law makes it a crime to knowingly file a false or fraudulent claim for Workers' Compensation benefits, or to knowingly submit false or fraudulent information in connection with any Workers' Compensation claim. Such conduct is also against University policy and will result in disciplinary action, up to and including termination of employment.

Disclaimer

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

SECTION E - LEAVES OF ABSENCE

ALCOHOL AND DRUG REHABILITATION LEAVE

The University strictly enforces a policy that relates to drug and alcohol use on campus. The complete text of this policy is contained in the policy section of this handbook.

The University is willing to assist any employee who recognizes that they have a problem with alcohol or drugs. An employee who elects to enroll in a rehabilitation program will be granted time off to participate in the program with prior administrative approval. If an employee requests time off to participate in such a program, the University will also make every reasonable effort to keep this matter confidential.

The employee may use any accrued sick leave, paid time off or vacation benefits while on leave. However, additional benefits will not be earned during the leave of absence. The leave will be subject to the same provisions and rules as personal leaves.

BEREAVEMENT LEAVE

Eligible employees may receive up to five (5) days of bereavement leave (3 days paid, 2 days unpaid) in the event they miss regularly scheduled workdays due to the death or funeral of a member of the employee's family. A family member includes your spouse, registered domestic partner, child, parent, parent-in-law, sibling, grandparent, or grandchild, mother-, father-, sister-, brother-, son-, or daughter-in-law, or a designated person as defined under the California Family Rights Act (CFRA).

Employees who are notified of the death of a family member while at work will be paid for the remainder of the scheduled hours that day. Eligible employees may take bereavement leave in a single block of time or intermittently within three (3) months of the employee's family member's death. All time off in connection with the death of a family member, as defined above, should be scheduled with your supervisor. The University will make reasonable efforts to safeguard the employee's privacy with respect to a request for bereavement leave. Employees are encouraged to request leave under this policy without fear of retaliation.

The University reserves the right to request supporting documentation of the need for bereavement leave, which can include a death certificate, a published obituary, or a written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or government agency. You may choose to use any accrued vacation, PTO, or sick leave for the 2 days unpaid leave time, if available, for an absence described above.

CIVIC DUTIES

The University encourages all employees to accept their civic responsibilities.

Jury Duty: If you receive a jury duty summons, please notify your supervisor immediately so your supervisor may plan the department's work with as little disruption as possible. All full-time and regular part-time employees, after completing 60 days of employment will be paid regular wages while serving as a juror, for up to a maximum of five working days per calendar year. Exempt employees will continue to receive their regular salary for any week in which they perform any work while on jury duty, pursuant to state and federal law. Employees who are released from jury service before the end of their regularly scheduled shift or who are not asked to serve on a jury panel are expected to call their supervisor as soon as possible and report to work if requested.

Witness Duty: If you receive a subpoena to appear in court, please notify your supervisor immediately. You are expected to return to work as soon as your service as a witness is completed. Unless otherwise required by federal, state, or local law, time spent on witness duty will be unpaid for non-exempt employees. Exempt employees will continue to receive their regular salary for any week in which they perform any work while on witness duty, pursuant to state and federal law.

Voting: If you would like to vote in a public election, but do not have sufficient time to vote during non-work hours, you may arrange to take up to two (2) hours off from work with pay to vote. To receive time off for voting, you must obtain advance approval from your supervisor and must take the time off to vote either at the beginning or end of your work shift. The University reserves the right to request a copy of your voter's receipt following any time off to vote.

FAMILY AND MEDICAL LEAVE ACT

The Family and Medical Leave Act ("FMLA") provides eligible employees the opportunity to take unpaid, job-protected leave for certain specified reasons. The maximum amount of leave you may use is either twelve (12) or twenty-six (26) weeks within a twelve (12) month period depending on the reasons for the leave.

Employee Eligibility

To be eligible for FMLA leave, you must:

- Have worked at least twelve (12) months for the University in the preceding seven (7) years (limited exceptions apply to the seven (7) year requirement);
- Have worked at least 1,250 hours for the University over the twelve (12) months preceding the date your leave would begin; and
- Currently work at a location where there are at least fifty (50) employees within seventy-five (75) miles.

All periods of absence from work due to or necessitated by service in the uniformed services are counted in determining FMLA eligibility.

Reasons for Taking Leave

FMLA leave may be taken for the following reasons:

- Birth of an employee's child, including time for bonding with the child after birth (up to twelve (12) weeks). Such time is available to employees regardless of sex or gender.
- Placement of a child with an employee in connection with the adoption or foster care of the child by the employee (up to twelve (12) weeks). Such time is available to employees regardless of sex or gender.
- To care for an immediate family member (employee's spouse, child, or parent) with a serious health condition (up to twelve (12) weeks).
- Because of an employee's serious health condition that makes the employee unable to perform the functions of the employee's position (up to twelve (12) weeks).
- To care for a Covered Servicemember with a serious injury or illness related to certain types of military service (up to twenty-six (26) weeks) (see Military-Related FMLA Leave for more details).
- To handle certain qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on duty under a call or order to active duty in the Uniformed Services (up to twelve (12) weeks) (see Military-Related FMLA Leave for more details).

The maximum amount of leave that may be taken in a twelve (12) month period for all reasons combined is twelve (12) weeks, with one exception. For leave to care for a Covered Servicemember, the maximum combined leave entitlement is twenty-six (26) weeks, with leaves for all other reasons constituting no more than twelve (12) of those twenty-six (26) weeks. Also, in addition to leave available under the FMLA and CFRA, employees may be eligible for leaves of absence during periods of disability associated with pregnancy or childbirth. Please see the Pregnancy Disability Leave of Absence Policy for further information on this type of leave.

Definitions

A "Serious Health Condition" is an illness, injury, impairment, or physical or mental condition that involves either (i) an overnight stay in a medical care facility, or (ii) continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities for more than three (3) full calendar days. The continuing treatment requirement includes two (2) visits to a health care provider or one (1) visit to a health care provider and a continuing regimen of care. An incapacity caused by pregnancy or prenatal visits, a chronic condition (such as asthma, diabetes or migraines) that continues over an extended period of time and requires periodic visits (at least two (2) per year) to a health care provider, permanent or long-term conditions requiring supervision but not active treatment by a health care provider, or absences due to multiple treatments ordered by a health care provider may also meet the definition of a Serious Health Condition.

Identifying the 12-Month Period

The University measures the twelve (12) month period in which leave is taken by the “rolling” twelve (12) month method, measured backward from the date of any FMLA leave with one exception. For leave to care for a Covered Servicemember, the University calculates the twelve (12) month period beginning on the first day the eligible employee takes FMLA leave to care for a Covered Servicemember and ends twelve (12) months after that date. FMLA leave for the birth or placement of a child for adoption or foster care must be concluded within twelve (12) months of the birth or placement.

Using Leave

Eligible employees may take FMLA leave in a single block of time, intermittently (in separate blocks of time), or by reducing the normal work schedule (including the elimination of required overtime) when medically necessary for the serious health condition of the employee or immediate family member, or in the case of a Covered Servicemember, their injury or illness. Eligible employees may also take intermittent or reduced-schedule leave for military qualifying exigencies. Employees who require intermittent or reduced-schedule leave for planned medical treatment must make a reasonable effort to schedule their leave so that it will not unreasonably disrupt the University’s operations. Intermittent leave is permitted in increments of at least one (1) hour.

Use of Paid Leave

Depending on the purpose of your leave request, the University may require you to use accrued paid leave (such as sick leave, vacation, or PTO), concurrently with some or all of your FMLA leave. If the University does not require you to do so, you may elect to substitute paid leave for FMLA leave, so long as you comply with the University’s normal procedures for the applicable paid-leave policy (e.g., call-in procedures, advance notice, etc.).

Maintenance of Health Benefits

The University will maintain coverage under the University’s group health plan during your FMLA leave on the same terms as if you had continued to work. If applicable, you must make arrangements to pay your share of health plan premiums while on leave. In some instances, the University may recover premiums it paid to maintain health coverage or other benefits for you and your family. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of your leave. Consult the applicable plan document for all information regarding eligibility, coverage, and benefits.

Notice and Medical Certification

When seeking FMLA leave, you must provide:

- Sufficient information for us to determine if the requested leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that you are unable to perform job functions, a family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the

need for military family leave. You must also inform the University if the requested leave is for a reason for which FMLA leave was previously taken or certified.

- Thirty (30) days advance notice of the need to take FMLA leave, if the need for leave is foreseeable, or notice as soon as practicable in the case of unforeseeable leave and in compliance with the University's normal call-in procedures, absent unusual circumstances.
- Medical certification supporting the need for leave due to a serious health condition affecting you or an immediate family member within fifteen (15) calendar days of the University's request to provide the certification (additional time may be permitted under certain circumstances). If you fail to do so, the University may delay the commencement of your leave, withdraw any designation of FMLA leave or deny the leave, in which case your leave of absence would be treated in accordance with our standard leave of absence and attendance policies, subjecting you to disciplinary action, up to and including termination. Second or third medical opinions and periodic re-certifications may also be required.
- Periodic reports as deemed appropriate during the leave regarding your status and intent to return to work.
- Medical certification of fitness for duty before returning to work, if the leave was due to your serious health condition, as permitted by law. The University will require this certification to address whether you can perform the essential functions of your position.

Failure to comply with the above requirements may result in delay, denial of leave, or disciplinary action

Employer Responsibilities

The University will inform you whether you are eligible for leave under the FMLA. Should you be eligible for FMLA leave, the University will provide a notice that specifies any additional information required as well as your rights and responsibilities. The University will also inform you if leave will be designated as FMLA-protected and, to the extent possible, note the amount of leave counted against your leave entitlement. If you are not eligible for FMLA leave, the University will provide a reason for the ineligibility.

Job Restoration

Except as otherwise provided by applicable law, upon returning from FMLA leave, you will be restored to the same or a comparable position as the position held prior to the leave.

Failure to Return after FMLA Leave

If you fail to return to work as scheduled after FMLA leave or you exceed the twelve (12) week FMLA entitlement (or in the case of military caregiver leave, the twenty-six (26) week FMLA entitlement), you will be subject to the University's standard leave of absence and attendance policies. This may result in termination if you have no other University-provided leave available to you that applies to your continued absence. Likewise, following the conclusion of your FMLA leave, the University's obligation to maintain your group health plan benefits may end (subject to any applicable COBRA rights). If you are unable to return to work after FMLA leave, you must notify the Human Resources Department. If the University becomes aware of the need for additional leave, the

University will engage in an interactive process to determine whether the condition is a disability for which additional unpaid leave may be provided as a reasonable accommodation.

Other Employment

While on a leave of absence, employees are prohibited from holding other employment, including self-employment, not held immediately prior to the start of the leave. In other words, an employee who has another job in addition to the employee's job with the University may continue working that job while on leave from the University if medically able to do so, but such an employee may not seek and hold other employment to replace the employee's employment with the University while on leave. This policy remains in force during all leaves of absence including FMLA leave and violation may result in disciplinary action, up to and including immediate termination of employment.

Fraud

Providing false or misleading information or omitting material information in connection with an FMLA leave will result in disciplinary action, up to and including immediate termination.

MILITARY-RELATED FMLA LEAVE

FMLA leave may also be available to eligible employees in connection with certain service-related medical and non-medical needs of family members. There are two forms of such leave. The first is Military Caregiver Leave, and the second is Qualifying Exigency Leave. Each of these leaves is detailed below.

Definitions

A "Covered Servicemember" is either: (1) a current Servicemember of the Armed Forces, including a member of the National Guard or Reserves, with a serious injury or illness incurred in the line of duty for which the Servicemember is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list; or (2) a "covered veteran" who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

A "covered veteran" is an individual who was discharged under conditions other than dishonorable during the five (5) year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran. The period between October 28, 2009 and March 8, 2013 is excluded in determining this five (5) year period. The FMLA definitions of "serious injury or illness" for current Servicemembers and veterans are distinct from the FMLA definition of "serious health condition." For purposes of Military-Related FMLA Leave, the term "serious injury or illness" means an injury or illness incurred by the Servicemember in the line of duty while on active duty in the Armed Forces that may render the Servicemember medically unfit to perform the duties of the Servicemember's office, grade, rank, or rating, or one that existed before the beginning of active duty and was aggravated by service in the line of duty while on active duty.

With regard to covered veterans, the serious injury or illness may manifest itself before or after the individual assumed veteran status, and is: (1) a continuation of a serious injury or illness that was incurred or aggravated

when the covered veteran was a member of the Armed Forces and rendered the Servicemember unable to perform the duties of the Servicemember's office, grade, rank or rating; (2) a physical or mental condition for which the covered veteran has received a VA Service Related Disability Rating (VASRD) of 50 percent or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for caregiver leave; (3) a physical or mental condition that substantially impairs the veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service or would be so absent treatment; or (4) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

"Qualifying exigencies" include activities such as short-notice deployment, military events, arranging alternative childcare, making financial and legal arrangements related to the deployment, rest and recuperation, counseling, parental care, and post-deployment debriefings.

Military Caregiver Leave

Unpaid Military Caregiver Leave is designed to allow eligible employees to care for certain family members who have sustained serious injuries or illnesses in the line of duty while on active duty. The family member must be a "Covered Servicemember," which means: (1) a current member or veteran of the Armed Forces, National Guard or Reserves, (2) who is undergoing medical treatment, recuperation, or therapy or, in the case of a veteran, who was a member of the Armed Forces, National Guard or Reserves, who was discharged or released under conditions other than dishonorable at any time within five years prior to the treatment which an eligible employee requests; is otherwise in outpatient status; or is otherwise on the temporary disability retired list, (3) for a serious injury or illness that may render current member medically unfit to perform the duties of the member's office, grade, rank, or rating. Military Caregiver Leave is not available to care for Servicemembers on the *permanent* disability retired list. Serious injury or illness specifically includes, but is not limited to, aggravation of a preexisting condition while in the line of duty.

To be eligible for Military Caregiver Leave, you must be a spouse, son, daughter, parent, or next of kin of the Covered Servicemember. "Next of kin" means the nearest blood relative of the Servicemember, other than the Servicemember's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the Servicemember by court decree or statutory provisions; brothers and sisters; grandparents; aunts and uncles; and first cousins; unless the Servicemember has specifically designated in writing another blood relative as their nearest blood relative for purposes of Military Caregiver Leave. You must also meet all other eligibility standards as set forth within the FMLA Leave policy.

An eligible employee may take up to twenty-six (26) workweeks of Military Caregiver Leave to care for a Covered Servicemember in a "single twelve (12) month period." The "single twelve (12) month period" begins

on the first day leave is taken to care for a Covered Servicemember and ends twelve (12) months thereafter, regardless of the method used to determine leave availability for other FMLA-qualifying reasons. If you do not exhaust your twenty-six (26) workweeks of Military Caregiver Leave during this “single twelve (12) month period,” the remainder is forfeited.

Military Caregiver Leave applies on a per-injury basis for each Servicemember. Consequently, an eligible employee may take separate periods of caregiver leave for each and every Covered Servicemember, and/or for each and every serious injury or illness of the same Covered Servicemember. A total of no more than twenty-six (26) workweeks of Military Caregiver Leave, however, may be taken within any single twelve (12) month period.

Within the “single twelve (12) month period” described above, an eligible employee may take a combined total of twenty-six (26) weeks of FMLA leave including up to twelve (12) weeks of leave for any other FMLA-qualifying reason (i.e., birth or adoption of a child, serious health condition of the employee or close family member, or a qualifying exigency). For example, during the “single twelve (12) month period,” an eligible employee may take up to sixteen (16) weeks of FMLA leave to care for a Covered Servicemember when combined with up to ten (10) weeks of FMLA leave to care for a newborn child.

An employee seeking Military Caregiver Leave may be required to provide appropriate certification from the employee and/or Covered Servicemember and completed by an authorized health care provider within fifteen (15) days. Military Caregiver Leave is subject to the other provisions in our FMLA Leave Policy (requirements regarding employee eligibility, appropriate notice of the need for leave, use of accrued paid leave, etc.). Military Caregiver Leave will be governed by, and handled in accordance with, the FMLA and applicable regulations, and nothing within this policy should be construed to be inconsistent with those regulations.

Qualifying Exigency Leave

Eligible employees may take unpaid “Qualifying Exigency Leave” to tend to certain “exigencies” arising out of the duty under a call or order to active duty of a “covered military member” (i.e., the employee’s spouse, son, daughter, or parent). Up to twelve (12) weeks of Qualifying Exigency Leave is available in any twelve (12) month period, as measured by the same method that governs measurement of other forms of FMLA leave within the FMLA policy (with the exception of Military Caregiver Leave, which is subject to a maximum of twenty-six (26) weeks of leave in a “single twelve (12) month period”). The maximum amount of “Qualifying Exigency Leave” an employee may utilize to bond with a military member on short-term, temporary rest and recuperation during deployment is fifteen (15) days.

Although Qualifying Exigency Leave may be combined with leave for other FMLA-qualifying reasons, under no circumstances may the combined total exceed twelve (12) weeks in any twelve (12) month period (with the

exception of Military Caregiver Leave as set forth above). The employee must meet all other eligibility standards as set forth within the FMLA policy.

Persons who can be ordered to active duty include active and retired members of the Regular Armed Forces, certain members of the retired Reserve, and various other Reserve members including the Ready Reserve, the Selected Reserve, the Individual Ready Reserve, the National Guard, state military, Army Reserve, Navy Reserve, Marine Corps Reserve, Air National Guard, Air Force Reserve, and Coast Guard Reserve.

A call to active duty refers to a *federal* call to active duty, and *state* calls to active duty are not covered unless under the order of the President of the United States pursuant to certain laws.

Qualifying Exigency Leave is available under the following circumstances:

- Short-notice deployment. To address any issue that arises out of short notice (within seven days or less) of an impending call or order to active duty.
- Military events and related activities. To attend any official military ceremony, program, or event related to active duty or a call to active duty status or to attend certain family support or assistance programs and informational briefings.
- Childcare and school activities. To arrange for alternative childcare; to provide childcare on an urgent, immediate need basis; to enroll in or transfer to a new school or daycare facility; or to attend meetings with staff at a school or daycare facility.
- Financial and legal arrangements. To make or update various financial or legal arrangements; or to act as the covered military member's representative before a federal, state, or local agency in connection with service benefits.
- Counseling. To attend counseling (by someone other than a health care provider) for the employee, the covered military member, or for a child or dependent when necessary as a result of duty under a call or order to active duty.
- Temporary rest and recuperation. To spend time with a covered military member who is on short-term, temporary rest and recuperation leave during the period of deployment. Eligible employees may take up to fifteen (15) days of leave for each instance of rest and recuperation. If your spouse or registered domestic partner is a member of the military, you may be entitled to an additional ten (10) days of unpaid leave. Please refer to the Military Leave of Absence above for more details.
- Post-deployment activities. To attend arrival ceremonies, reintegration briefings and events, and any other official ceremony or program sponsored by the military for a period of up to ninety (90) days following termination of the covered military member's active duty status. This also encompasses leave to address issues that arise from the death of a covered military member while on active duty status.

- Mutually agreed leave. Other events that arise from the close family member's call or order to active duty, provided that the University and the employee agree that such leave qualifies as an exigency and agree to both the timing and duration of such leave.

An employee seeking Qualifying Exigency Leave may be required to submit appropriate supporting documentation in the form of a copy of the covered military member's active duty orders or other military documentation indicating the appropriate military status and the dates of active duty status, along with a statement setting forth the nature and details of the specific exigency, the amount of leave needed and the employee's relationship to the military member, within fifteen (15) days. Qualifying Exigency Leave will be governed by, and handled in accordance with, the FMLA and applicable regulations, and nothing within this policy should be construed to be inconsistent with those regulations.

CALIFORNIA FAMILY RIGHTS ACT

The California Family Rights Act ("CFRA") provides eligible employees the opportunity to take unpaid, job-protected leave for certain specified reasons. The maximum amount of leave an eligible employee may use is twelve (12) weeks within a twelve (12) month period.

In most circumstances, the University anticipates that CFRA leave will run concurrently with leave under the federal Family and Medical Leave Act ("FMLA"). In such case(s), the aggregate amount of CFRA leave and/or FMLA leave shall not exceed twelve (12) workweeks in a twelve (12) month period. However, under the following circumstances, CFRA leave will not run concurrently with FMLA leave:

- CFRA leave for birth of an employee's registered domestic partner's child, including time for bonding with the child.
- CFRA leave for placement of a child for adoption or foster care with an employee's registered domestic partner.
- CFRA leave to care for an employee's registered domestic partner, registered domestic partner's child, parent-in-law, grandparent, grandchild, or sibling, or for a designated person who has a serious health condition.
- FMLA leave taken for disability on account of pregnancy, childbirth, or related medical conditions. (See Family and Medical Leave Act Policy for more information).
- Additional FMLA leave to care for a Covered Servicemember with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the Covered Servicemember (See Family and Medical Leave Act Policy for more information).

Employee Eligibility

To be eligible for CFRA leave, you must:

- Have worked at least twelve (12) months for the University; and

- Have worked at least 1,250 hours for the University over the twelve (12) months preceding the date your leave would begin.

Reasons for Taking Leave

CFRA leave may be taken for the following reasons:

- Birth of an employee's child, including time for bonding with the child after birth. Such time is available to employees regardless of sex or gender.
- Placement of a child with an employee or an employee's registered domestic partner in connection with the adoption or foster care of the child by the employee. Such time is available to employees regardless of sex or gender.
- To care for an employee's spouse, registered domestic partner, child, parent, parent-in-law, grandparent, grandchild, or sibling, or for a designated person who has a serious health condition.
- Because of an employee's own serious health condition that makes the employee unable to perform the functions of the employee's position, except for leave taken for disability on account of pregnancy, childbirth, or related medical conditions (see Pregnancy Disability Leave of Absence Policy).
- For certain qualifying exigencies (as defined below) related to the covered active duty or call to covered active duty of an employee's spouse, domestic partner, child, or parent in the Armed Forces of the United States.

Definitions

A "Serious Health Condition" is an illness, injury, impairment, or physical or mental condition that involves either (i) inpatient care in a hospital, hospice, or residential care facility, or (ii) continuing treatment or supervision by a health care provider.

- A "child" means a biological, adopted, or foster child, a stepchild, a legal ward, a child of a domestic partner, or a person to whom the employee stands in loco parentis, regardless of age.
- A "parent" means a biological, foster, or adoptive parent, a parent-in-law, a stepparent, a legal guardian, or other person who stood in loco parentis to the employee when the employee was a child.
- A "parent-in-law" means the parent of a spouse or registered domestic partner.
- A "sibling" means a person related to another person by blood, adoption, or affinity through a common legal or biological parent.
- A "designated person" means any individual related by blood or whose association with the employee is the equivalent of a family relationship. Employees will be limited to identifying one (1) designated person per twelve (12)-month period.
- A "qualifying exigency" related to the covered active duty or call to covered active duty of an employee's spouse, domestic partner, child, or parent ("military member") means any of the exigencies described in California Unemployment Insurance Code section 3302.2, a copy of which you may obtain from the Human Resources Department. These exigencies include:

- Childcare and school activities. To arrange for alternative childcare; to provide childcare on an urgent, immediate need basis; to enroll in or transfer to a new school or daycare facility; or to attend meetings with staff at a school or daycare facility.
- Financial and legal arrangements. To make or update various financial or legal arrangements; or to act as the military member's representative before a federal, state, or local agency in connection with service benefits.
- Counseling. To attend counseling (by someone other than a health care provider) for the employee, the military member, or for a child or dependent when necessary as a result of duty under a call or order to active duty.
- Temporary rest and recuperation. To spend time with a military member who is on short-term, temporary rest and recuperation leave during the period of deployment. Eligible employees may take up to fifteen (15) days of leave for each instance of rest and recuperation.
- Post-deployment activities. To attend arrival ceremonies, reintegration briefings and events, and any other official ceremony or program sponsored by the military for a period of up to ninety (90) days following termination of the military member's active duty status.

Identifying the 12-Month Period

The University measures the twelve (12) month period in which leave is taken by the "rolling" twelve (12) month method, measured backward from the date of any CFRA leave. CFRA leave for the birth or placement of a child for adoption or foster care must be concluded within twelve (12) months of such birth or placement.

Using Leave

Eligible employees may take CFRA leave in a single block of time, intermittently (in separate blocks of time), or by reducing their normal work schedule (including the elimination of required overtime) when medically necessary for the serious health condition of the employee or to care for a covered family member. Eligible employees may also take intermittent or reduced-schedule leave for military qualifying exigencies. Employees who require intermittent or reduced-schedule leave for planned medical treatment must make a reasonable effort to schedule their leave so that it will not unreasonably disrupt the University's operations. For the birth of or care for a newly-born child, or for the adoption or foster-care placement of a child, intermittent leave must be taken in increments of at least two (2) weeks, with shorter increments allowed on any two (2) occasions. For all other kinds of CFRA leave, intermittent leave may be taken in increments of at least one (1) hour.

Use of Paid Leave

Depending on the reason for your leave, the University may require you to use accrued paid leave (such as sick leave, vacation, or PTO), concurrently with some or all of your CFRA leave. If the University does not require you to do so, you may elect to substitute paid leave for CFRA leave, so long as you comply with the University normal procedures for the applicable paid-leave policy (e.g., call-in procedures, advance notice, etc.).

Maintenance of Health Benefits

The University will maintain coverage under the University's group health plan during your CFRA leave, on the same terms and conditions as if you had continued to work. If applicable, you must make arrangements to pay your share of health plan premiums while on leave. In some instances, the University may recover premiums it paid to maintain health coverage or other benefits for you or your family during your leave. Use of CFRA leave will not result in the loss of any employment benefit that accrued prior to the start of your leave. Consult the applicable plan document for all information regarding eligibility, coverage, and benefits.

Notice and Medical Certification

In order to qualify for CFRA leave, you must provide:

- Reasonable advance notice (at least thirty (30) days) if the need for leave is foreseeable, or notice as soon as practicable in the case of unforeseeable leave, in compliance with the University's standard call-in procedures, absent unusual circumstances.
- Medical certification supporting the need for leave due to a serious health condition affecting you or a covered family member, within fifteen (15) calendar days of the University's request (additional time may be permitted under certain circumstances). If you fail to do so, the University may delay the start of your leave, retract any designation of CFRA leave, or deny leave, in which case your leave of absence would be treated in accordance with our other leave of absence and attendance policies. Second or third medical opinions and periodic re-certifications may also be required.
- Appropriate documentation, within fifteen (15) days of the University's request (additional time may be permitted under certain circumstances), supporting the need for leave due to a qualifying military exigency. Such documentation may be in the form of a copy of the military member's active duty orders or other military documentation indicating the appropriate military status and the dates of active duty status, along with a statement setting forth the nature and details of the specific exigency, the amount of leave needed, and the employee's relationship to the military member.
- Periodic reports as required by the University during the leave regarding your status and intent to return to work.
- Medical certification from your medical provider of your fitness to return to work, if the leave was due to your own serious health condition, as permitted by law.

Failure to comply with the above requirements may result in delay, denial of leave, or disciplinary action.

Employer Responsibilities

The University will inform you whether you are eligible for leave under CFRA. Should you be eligible for CFRA leave, the University will provide a notice that specifies any additional information required as well as your rights and responsibilities. The University will also inform you if leave will be designated under CFRA and, to the extent possible, note the amount of leave counted against your leave entitlement. If you are not eligible for CFRA leave, the University will provide a reason for the ineligibility.

Job Restoration

Except as otherwise provided by applicable law, upon returning from CFRA leave, you will be restored to the same or a comparable position as the position held prior to the leave.

Failure to Return after CFRA Leave

If you fail to return to work as scheduled or fail to contact the University after your CFRA leave expires, you will be subject to the University's standard leave of absence, attendance, and other policies. Likewise, following the conclusion of your CFRA leave, the University's obligation to maintain your group health plan benefits may end (subject to any applicable COBRA rights). If you are unable to return to work after CFRA leave, you must notify the Human Resources Department. If the University becomes aware of the need for additional leave, the University will engage in an interactive process to determine whether the condition is a disability for which additional unpaid leave may be provided as a reasonable accommodation.

Other Employment

While on a leave of absence, employees are prohibited from holding other employment, including self-employment, not held immediately prior to the start of the leave. In other words, an employee who has another job in addition to the employee's job with the University may continue working that job while on leave from the University if medically able to do so, but such an employee may not seek and hold other employment to replace the employee's employment with the University while on leave. This policy remains in force during all leaves of absence including CFRA leave and violation may result in disciplinary action, up to and including immediate termination of employment.

Fraud

Providing false or misleading information or omitting material information in connection with a request for CFRA leave may result in disciplinary action, up to and including immediate termination.

CIVIL AIR PATROL LEAVE

The University will provide eligible employees who are volunteer members of the California Wing of the Civil Air Patrol and are called to emergency operational missions up to ten (10) days of unpaid leave per calendar year. Leave for a single emergency operational mission cannot exceed three (3) days unless an extension is granted by appropriate government entities and approved by the University.

To be eligible, employees must have been employed with the University for ninety (90) days immediately preceding the commencement of leave.

Employees are expected to notify the University of the need for Civil Air Patrol Leave by providing their supervisor with certification from Civil Air Patrol authorities as soon as possible. The University will restore employees who return from Civil Air Patrol leave to their former position or to a position of equivalent seniority status, employee benefits, pay and other terms and conditions of employment.

LEAVE DONATION POLICY

The University understands that under certain circumstances employees may need more paid time than they have available to attend to a serious health condition of their own or of a family member, or to bond with a newborn or adopted child. To assist eligible employees in such a time, any category of employee is allowed to donate vacation or personal time off (PTO) hours to a fellow employee in need.

To be eligible to receive donated time the Receiving Employee must: (1) be employed for at least 12 months and have worked at least 1,250 hours in the past 12 months and (2) must have depleted their accrued benefits. The Donating Employee must maintain a balance of at least one week of vacation and three days of PTO after the donation. All time donated, whether vacation or PTO, is added to the sick leave account of the Receiving Employee. The combined maximum donation an employee can receive from their fellow employees is eighty (80) hours.

A Leave Donation request form is available on the Portal under Employee Forms and must be approved by the Direct Supervisor, the VP for Human Resources, and the VP for Finance and Administration & CFO. Once a leave donation is approved it cannot be revoked. No employee should feel obligated or coerced into donating time, it is strictly voluntary.

LEAVES OF ABSENCE AND THE EFFECTS ON BENEFITS

Health and life insurance benefits ordinarily provided by the University, and for which the employee is otherwise eligible and enrolled, will be continued for the remainder of the month in which the employee last worked. The University will pay its portion of the premium contribution and the employee is responsible to pay their portion of any employee-paid premiums. If the employee qualifies under the provisions of the Family and Medical Leave, California Family Rights Leave or Workers' Compensation Leave, benefits will be continued for up to 12 weeks in a twelve-month period. If the employee is not eligible under these leaves or if paid coverage ceases after 12 workweeks, they may continue their group health insurance coverage through Federal COBRA guidelines by making monthly payments to the University's third-party COBRA administrator for the amount of the relevant premium. Employees wishing to continue medical and dental benefits under COBRA must make the request known to an HR representative in writing, prior to the onset of the leave. All other benefits will be discontinued for the duration of the leave. There will be no benefit accrual (sick, vacation and PTO) during a leave of absence. Employees participating in the Flexible Spending Accounts may be required to make personal contributions to keep their FSA accounts active.

Employees on pregnancy disability leave will be allowed to continue to participate in group health coverage for the length of the PDL, up to a maximum of four months (if such insurance was provided before the leave was taken) on the same terms as if they had continued to work.

LEAVE FOR EMERGENCY RESCUE PERSONNEL

To the extent required by law, employees who are volunteer firefighters, reserve peace officers, members of a disaster medical response team, or emergency rescue personnel (“Emergency Rescue Personnel”) may receive unpaid leave to perform their duties in the case of an emergency. Such employees may also take a temporary, unpaid leave of absence, not to exceed a total of fourteen (14) days per calendar year, in order to engage in fire, law enforcement, or emergency rescue training.]

If you qualify as state-sponsored or requested Emergency Rescue Personnel, please alert your supervisor so that your supervisor is aware of the fact that you may have to take time off for emergency duty and/or training. In the event that you need to take time off for emergency duty and/or training, please alert your supervisor in writing as far in advance as possible. You must provide the University with appropriate documentation evidencing your performance of emergency duty and/or attendance at training upon returning to work.

You may choose to use any accrued vacation, PTO, or sick leave time, if available, for an absence described above.

MEDICAL LEAVE OF ABSENCE

Employees who are ineligible for leave under the federal Family and Medical Leave Act and California Family Rights Act as provided below, or who have exceeded their leave allotment under those laws, are nonetheless eligible for medical leave according to the following policy:

Employees are eligible for unpaid leaves of absence for medical reasons. Medical reasons may include illness, injury, medical and surgical procedures, and related medical conditions. You must request a leave of absence if you are unable to work for medical reasons for a period in excess of three (3) consecutive days. Such requests are subject to management approval and must be made as soon as possible. Each request must be accompanied by a certification from your treating physician which states that you are unable to work and provides the duration of leave that you require. The University reserves the right to have employees on a medical leave of absence examined by a physician of the University’s choice. The University may require periodic physician’s verification of your inability to work. Misrepresenting the reason for applying for a leave of absence may result in disciplinary action, up to and including termination.

MEDICAL LEAVE FOR WORKERS COMPENSATION

A leave of absence shall be granted upon written request by a health care provider for the employee who sustains a work-related disability and in most cases, shall be extended to the employee for the duration of the work related disability. The employee must report to the Human Resources Department immediately when any injury has occurred and will need to provide the University with a certification form from his or her health care provider (if not treated by the medical providers under University’s workers compensation insurance networks)

regarding the need for workers' compensation disability leave, as well as his or her eventual ability to return to work from the leave.

If the workers' compensation leave is expected to last beyond thirty (30) calendar days, eligible employees will be covered by the University's self-funded Short Term Disability (STD) benefit from calendar day 31 through calendar day 90. This STD benefit will coordinate with other income benefits the employee may qualify to receive to the extent necessary to provide benefits equal to the employee's straight-time compensation immediately before the beginning of the illness / disability. An employee must have completed at least 12 months of service and be classified as a full-time employee to be eligible for the University's Short-Term Disability benefit. An employee on workers' compensation leave may also be eligible to apply for Long Term Disability benefits which, if approved, will coordinate with benefits received under workers' compensation. If the claim is approved, LTD benefits begin following an elimination period of 90 days.

An employee on a workers' compensation leave will be allowed to continue participating in any health and welfare benefit plans in which he or she was enrolled before the first day of the leave (for a maximum of 12 workweeks) at the level and under the conditions of coverage as if the employee had continued in employment for the duration of such leave. The University will continue to pay its portion of the premium contribution as if the employee had continued working. Employees are to make arrangements with the Human Resources Department to continue payments of any employee-paid portion of benefit premiums before the leave begins.

The University will retain employees on a leave of absence for work-related disabilities until one of the following situations occur:

1. The employee is released for full or partial employment,
2. The University receives medical evidence / statement satisfactory to it that the employee will be permanently unable to return to work,
3. The employee directly or indirectly informs the University (i.e., by accepting other employment, moving out of the state, etc.) that he does not intend to return to the University.

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 his or her 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. For example, if the employee on workers' compensation leave would have been laid-off had he or she not gone on leave, or if the employee's position has been eliminated or filled in order to avoid undermining the University's ability to operate safely and efficiently during the leave, and no equivalent or comparable positions are available, then the employee would not be entitled to reinstatement. Employees returning from a leave will be given credit for service completed prior to the commencement of the leave of absence. There will be no accrual of benefits during this or any other leave of absence.

An employee's return depends on his or her qualifications for any existing openings. If, after returning from a workers' compensation disability leave, an employee is unable to perform the essential functions of his or her job because of a physical or mental disability, the University' obligations to the employee may include reasonable accommodation, as governed by the Americans with Disabilities Act.

Workers' Compensation and FMLA/CFRA

Employees who are ill or injured as a result of a work-related incident, and who are eligible for family and medical leave under state and federal law (Family Medical Leave Act (FMLA) and the California Family Rights Act (CFRA)), will be placed on FMLA/CFRA during the time they are disabled and not released to return to work. The leave under these laws runs concurrently, and eligible employees will be on FMLA/CFRA for a maximum of 12 weeks in a 12-month period.

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. When an employee reports a work-related illness or injury, he or she will be sent for medical treatment, if treatment is necessary. The employee will be paid his or her regular wages for the time spent seeking the initial medical treatment (for example, the day the accident/injury occurred if he or she missed any part of the workday).

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. If they have accrued and unused sick leave, the additional absences from work will be paid with the use of sick leave.

If an employee does not have accrued paid sick leave, or if they have used all of their sick leave, he or she may choose to substitute vacation / paid time off for further absences from work related to their illness or injury.

LEAVE FOR VICTIMS OF FELONY CRIMES

To the extent required by law, employees who are victims of certain specified felony crimes, or who are 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, may receive unpaid time off from work to attend judicial proceedings related to that crime. Additionally, employees who are victims of such crimes may take unpaid time off from work to be heard at any proceeding, including any delinquency proceeding, involving a post-arrest release decision, plea, sentencing, post-conviction release decision, or any proceeding in which a right of the victim is at issue. To take this leave, you must provide the University in advance with a copy of the notice of the proceeding. If advance

notice is not possible, you must provide the University with appropriate documentation evidencing your attendance at the judicial proceeding upon returning to work.

LEAVE FOR VICTIMS OF DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING

If you are a victim of or are the immediate family member of a person who is deceased as the direct result of domestic violence, sexual assault, stalking, or a crime that caused physical injury or that caused mental injury and a threat of physical injury, you may receive unpaid leave to attend legal proceedings or obtain or attempt to obtain any relief necessary, including a restraining order, to ensure your own health, safety, or welfare, or that of your child or children. "Family member" for purposes of this policy includes a child, parent, spouse, sibling, or "equivalent" relationship. You may also receive unpaid leave to: (1) obtain services from a domestic violence shelter or rape crisis center; (2) seek medical attention for injuries caused by domestic violence or sexual assault; (3) obtain psychological counseling for the domestic violence or sexual assault; or (4) take action, such as relocation, to protect against future domestic violence or sexual assault. To take this leave, you must provide the University with advance notice of your need for leave. If advance notice is not possible, you must provide the University with the following certification upon returning back to work: (1) a police report showing that you were a victim of domestic violence or sexual assault, (2) a court order protecting you from the perpetrator or other evidence from the court or prosecuting attorney that you appeared in court, or (3) documentation from a medical professional, domestic violence or sexual assault victim advocate, health care provider, or counselor showing that your absence was due to treatment for injuries from domestic violence or sexual assault. You may choose to use any accrued vacation, PTO, or sick leave time, if available, for an absence described above. In addition, employees who are victims of or are the immediate family member of a person who is deceased as the direct result of domestic violence, sexual assault, stalking, or a crime that caused physical injury or that caused mental injury and a threat of physical injury are entitled to a reasonable accommodation for the employee's safety while at work. If you require such an accommodation, please notify your supervisor or the Human Resources Department. The University will engage in a timely, good faith, and interactive process to determine effective reasonable accommodations. Employees are encouraged to request leave and accommodation under this policy without fear of retaliation.

LEAVE FOR ORGAN AND BONE MARROW DONORS

Employees who have been employed for at least ninety (90) days and who provide written verification to the University that they are an organ or bone marrow donor are entitled to receive a paid job-protected leave of absence that may be taken in one or more periods in order to donate. Eligible organ donors are entitled to a leave of absence not to exceed thirty (30) business days in any one-year period of time. Such employees may also be eligible for an additional unpaid leave of absence not to exceed thirty (30) business days in any one-year period of time if they have exhausted all available sick leave. Eligible bone marrow donors are entitled to a leave of absence not to exceed five (5) business days in any one-year period. Employees will be required to

use up to five (5) days of their vacation, PTO for bone marrow donor leave and up to two (2) weeks of their vacation, PTO for organ donor leave. The one-year period is measured from the date the eligible employee's leave begins and will consist of twelve (12) consecutive months.

MILITARY LEAVE OF ABSENCE

Employees who require time off from work to fulfill military duties will be treated in accordance with applicable requirements of state and federal laws. You are expected to notify the University in advance of upcoming military duty by providing your supervisor with verbal or written notice as soon as possible. In addition, spouses and registered domestic partners of military personnel who are home on leave during a period of military deployment may take up to ten (10) days of unpaid leave.

PREGNANCY DISABILITY LEAVE OF ABSENCE

Employees may take a leave of absence up to four (4) months for disabilities relating to pregnancy, childbirth, or related medical conditions (meaning a physical or mental condition intrinsic to pregnancy or childbirth). For the purposes of leave under this policy, "four (4) months" means the number of days the employee would normally work within four (4) calendar months (one-third of a year equaling 17 1/3 weeks), if the leave is taken continuously, following the date the pregnancy disability leave commences.

Prior to the start of your pregnancy disability leave, the University will require a statement from your health care provider indicating that you are unable to perform your job and the anticipated date of your return. In the event your leave exceeds the anticipated date of return, it is your responsibility to provide further verification from your health care provider that you are unable to perform your job and the revised anticipated date of return. If you and/or your family participate in our group health plan, the University will maintain coverage during your pregnancy disability leave on the same terms as if you had continued to work. If applicable, you must make arrangements to pay your share of health plan premiums while on leave. In some instances, the University may recover premiums it paid to maintain health coverage or other benefits for you and your family.

Employees granted leave for pregnancy will be returned to their same or a comparable position to the extent required by state law. Upon the advice of your health care provider, you may also be entitled to reasonable accommodation, to the extent required by law, for conditions related to pregnancy, childbirth, or related medical conditions. In addition, a transfer to a less strenuous or hazardous position or duties may be available pursuant to your request, if such a transfer is medically advisable. You should promptly notify the Human Resources Department of your need for reasonable accommodation as soon as reasonably possible.

During a medical leave of absence, the University's medical insurance plan documents will determine whether you and your eligible dependents may continue your health insurance coverage under the University's plan. If you remain eligible for such coverage you must pay your share of the premium the same as if you continued

working. If you are not eligible to continue coverage under the University's plan you will be issued a COBRA notice and given the option of continuing coverage at your own expense. The plan document ultimately governs your eligibility for and entitlement to these benefits.

Upon your return from a medical leave of absence, we will attempt to return you to your regular job if it is available. If it is not available, you will be placed in a similar job for which you are deemed by management to be qualified if such a job is available. If no jobs are available at the time, you will be given preferential consideration for any position for which you apply and for which you are deemed by management to be qualified following your notifying the University in writing that you are ready and able to return to work.

Failure to report to work as scheduled following a leave of absence without notifying the University of your need for additional leave can result in dismissal. Employees who are out on leave of absences will not accrue such benefits as vacation or holiday pay during their leaves of absence.

You should speak directly with the Human Resources Department prior to taking a leave to ensure your understanding of all of your obligations to the University while on leave, such as reporting and verification obligations, and your obligations to pay health insurance premiums, if applicable. Failure to comply with University policy may substantially affect your ability to return to work and/or result in the loss of health insurance coverage.

Health and Benefit Plans

An employee taking Pregnancy Disability leave will be allowed to continue participating in any health and welfare benefit plans in which he or she was enrolled before the first day of the leave (for a maximum of 17 1/3 work weeks) at the level and under the conditions of coverage as if the employee had continued in employment for the duration of such leave. The University will continue to pay its portion of the premium contribution as if the employee had continued working. Employees are to make arrangements with the HR Department to continue payments of any employee-paid portion of benefit premiums before the leave begins. The continued participation in health benefits begins on the date leave first begins under Family and Medical Leave Act and/or PDL (for pregnancy disability leaves). In some instances, the University may recover from an employee premium paid to maintain health coverage if the employee fails to return to work following family/medical leave.

Under most circumstances, upon submission of a medical certification that an employee is able to return to work from a pregnancy disability leave, an employee will be reinstated to her same position held at the time the leave began or to an equivalent position, if available. An employee returning from a pregnancy disability leave has no greater right to reinstatement than if the employee had been continuously employed.

LACTATION ACCOMMODATIONS

You have the right to request, and the University will provide, accommodations required for employees to express breast milk as necessary. Employees should notify their immediate supervisor or the Human Resources Department to request accommodations to express breast milk under this policy. The University will provide a reasonable amount of break time to accommodate an employee's need to express breast milk for the employee's infant child. The break time should, if possible, be taken concurrently with meal and rest periods already provided. Non-exempt employees should clock out for additional lactation breaks that do not run concurrently with normally scheduled meal and rest periods. Such additional breaks will be unpaid.

Additionally, the University will provide employees needing to express breast milk with a room or place, other than a restroom, to express breast milk in private. The room or location will be near the employee's work area, shielded from view, and free from intrusion while the employee is expressing milk. In addition, the room or location will be safe, clean, and free of hazardous materials. It will contain a surface on which to place a breast pump and personal items, as well as a place to sit. It will provide access to electricity needed to operate an electric or battery-powered breast pump. A sink with running water and a refrigerator or cooler suitable for storing milk will also be made available as close as possible to the employee's workspace. If a multipurpose room is used for lactation, among other uses, the use of the room for lactation will take precedence over the other uses, but only for the time it is in use for lactation purposes.

If we are unable to provide a permanent space for lactation due to operational, financial, or space limitations, we will provide a temporary space other than a restroom that is near the employee's work area, shielded from view, free from intrusion while the employee is expressing milk, and has the other elements described above. Employees have the right to file a complaint with the California Labor Commissioner for any failure by the University to provide appropriate lactation accommodations.

OTHER EMPLOYMENT

While on a leave of absence, employees are prohibited from holding other employment, including self-employment, not held immediately prior to the start of the leave. In other words, an employee who has another job in addition to the employee's job with the University may continue working that job while on leave from the University if medically able to do so, but such an employee may not seek and hold other employment to replace the employee's employment with the University while on leave. This policy remains in force during all leaves of absence including medical leave and violation may result in disciplinary action, up to and including immediate termination of employment.

SCHOOL DISCIPLINARY ACTION LEAVE

Employees who are requested by their child's school to appear at the school in connection with the suspension of their child from school will be provided unpaid time off for such a purpose. Employees must provide reasonable advance notice that they have been requested to appear at the school where feasible.

UNPAID FAMILY SCHOOL PARTNERSHIP LEAVE

The University encourages its employees to be involved in the education of their children. Parents, guardians, step-parents, foster parents, grandparents, or individuals standing in *loco parentis* with custody of school age children (K-12) are eligible for up to forty (40) hours of unpaid leave each year, not to exceed eight (8) hours in any calendar month, to participate in school-related activities of their children or their registered domestic partner's children. Employees may also take such leave to find, enroll, or reenroll their child in a school or with a licensed childcare provider, or to participate in activities of the school or licensed child care provider, or to address child care provider or school emergencies.

You must personally notify your supervisor and the Human Resources Department as soon as you learn of the need for planned use of this leave. You will not be allowed time off if you do not provide your supervisor with adequate notice. The University may require verification of the school-related activity. You are requested to schedule activities such as parent/teacher conferences during non-work hours. Employees who use leave for unauthorized purposes will be subject to disciplinary action, up to and including termination.

SECTION F - STANDARDS OF PERFORMANCE, DUTIES AND DISCIPLINE

ABSENTEEISM AND TARDINESS

You are expected to be at work ready to perform your job duties on time each day. Absenteeism or tardiness, even for good reasons, is disruptive of our operations and creates a burden for co-workers. Absenteeism or tardiness can result in disciplinary action, up to and including termination.

If you are going to be late or absent from work for any reason, you must personally notify your supervisor as far in advance as possible so that proper arrangements can be made to handle your work during your absence. Of course, some situations may arise in which prior notice cannot be given. In those circumstances, you are expected to notify your supervisor as soon as possible or practicable. Leaving a message, voice mail, or sending an email or text message does not qualify as *personally* contacting your supervisor.

If you are required to leave work early, you must also personally contact your supervisor and obtain permission. Leaving work early without authorization is strictly prohibited.

Although you may be terminated at any time for failing to report to work without contacting the University, if you fail to report for work or call in for more than three (3) consecutive calendar days, you may be considered to have abandoned your job and may be terminated.

ATTITUDE AND PROFESSIONALISM

All employees must display a positive attitude towards their job and arrive at work motivated to perform their job duties. Further, employees are expected to demonstrate courtesy and professionalism toward their co-workers, students, vendors, and/or members of the public in the course of their job duties. Rudeness, profanity, or disruptive conduct will not be tolerated.

A bad attitude or a failure to conduct oneself professionally creates a difficult working environment and prevents the University from providing quality service to our customers.

If you consistently fail to approach your job duties with a positive attitude and in a professional manner, you may be subject to disciplinary action, up to and including termination.

COMMUNITY ACTIVITIES

While the University encourages its employees to participate in community activities, employees should identify their affiliation with the University only when they are officially representing the University. When the possibility of confusion arises, the employee should identify as an individual and not as a representative of the University.

CONFIDENTIALITY

The University is dedicated to protecting the privacy of all its employees as well as students and patients. It is each employee's responsibility to understand that while employed by the University, they will receive or become aware of information regarding fellow employees, patients, projects, practices, etc., which are sensitive and confidential in nature and should be treated as such. Each employee is responsible for keeping any and all such information strictly confidential. It is also understood that an employee will not communicate, disclose, divulge or otherwise use, directly or indirectly, such confidential and/or sensitive information while employed as well as after separation from the University. Inappropriate communication of such information will lead to disciplinary action up to and including termination (if employed) and potential legal action if after separation.

CONFLICT OF INTEREST

The pursuit of knowledge and its open and timely communication and dissemination are the essential and core elements of the University. The University will encourage and facilitate its members of the Board of Trustees/faculty/administrators/staff efforts to obtain and share their knowledge and expertise broadly through sponsored research, consultation, and other activities that are beneficial to the employee, the University, and the public at large. It is also recognized that faculty active in research and scholarship can and will generate proprietary forms of knowledge that, while bringing added value to the Institution, are also encumbered with potential conflicts of interest. This policy lays a framework to facilitate the responsible involvement of members of the Board of Trustees/faculty/administrators/staff in a broad range of activities, while simultaneously protecting the scholarly activities of MBKU. The aim of the policy is to increase the awareness of the members of the Board of Trustees/faculty/administrators/staff of the potential for Conflicts of Interest and to establish procedures whereby such conflicts may be avoided or properly disclosed and managed.

What is Conflict of Interest? Conflicts of Interest arise naturally from an individual's engagement with the world outside the University. A Conflict of Interest exists when an individual has an outside interest (influential position or a financial interest through ownership or remuneration) that affects or appears to affect the individual's professional judgment in carrying out University responsibilities. The outside interest may be directly for the employee or indirectly through others, such as immediate family, or those with whom the individual has significant business or other ties. An outside interest is a conflict if:

- The outside interest may influence the individual's decisions regarding University business or research.
- The outside interest may or may not appear to influence the individual's activities or decisions in teaching, research, and services.

What is Financial Interest?

Financial Interest means anything of monetary value to the individual or immediate family member, including but not limited to:

- salary or other payments or services by an outside organization (e.g., recurring consulting fees or honorarium);

- payments received from the University for goods or services not included in W-2 wages
- direct equity interests greater than 5% or \$10,000 (e.g., stocks, stock options, warrants or other ownership interests);
- intellectual property rights (e.g., patents, copyrights and royalties from such rights).

The term does not include:

- salary or stipends paid to an individual by the University;
- income from casual, non-recurring seminars, lectures, or teaching engagements sponsored by public or nonprofit entities;
- mutual fund holdings
- direct equity interest in a business enterprise or entity that when aggregated for the individual and the individual's spouse and all dependent children meets both of the following criteria: does not exceed \$10,000 in value as determined through reference to public prices or other reasonable measures of fair market value, and does not represent more than 5% ownership interest for any single enterprise or entity;

MBKU Policy on Conflict of Interest

The existence of a conflict of interest does not imply wrongdoing. When Conflicts of Interest arise, they must be recognized, disclosed, reviewed, and managed.

Why Does the University Need a Conflict of Interest Policy? It is most important that we know where the boundaries of conflict of interest lie, so that MBKU can protect the integrity and academic mission of the University. Furthermore, Federal government regulations require that conflicts be 1) disclosed in writing annually and as circumstances change, 2) reviewed by designated officials, and 3) properly managed, reduced, or eliminated. It is imperative that every individual knows, understands, and complies with the Conflict of Interest Policy, because non-compliance threatens the institution's integrity, access to its tax-exempt status, and availability of federally-sponsored funds.

What are the Benefits to All of a Conflict of Interest Procedure? Conflicts of Interest usually arise from a well-intentioned person having two worthy objectives that conflict with one another. The University fulfills its legal obligations and the employee is protected when the individual reports the conflict and receives appropriate administrative approval before proceeding with a potentially conflicted situation. The Conflict of Interest reporting and management procedures are intended to keep the Board of Trustees and employees aware of their Conflicts of Interest and then to help them to manage, reduce, or eliminate those conflicts.

What Happens If There is a Conflict? Conflicts of Interest are common and are bound to arise. They are not inherently bad and can exist as long as they can be managed. In fact, the disclosure and review process seldom requires elimination of the conflict – many conflicts are properly managed by the simple act of disclosure. Others can be managed with assistance from the appropriate individual or committee.

Conflicts in Externally Sponsored Research

As a recipient of externally sponsored activities, MBKU has an obligation to assure that the principles of objectivity in research are upheld to ensure that there is no reasonable risk that the design, conduct, or reporting of research will be biased by any conflicting financial interest of an investigator.

Researchers engaged in externally sponsored activity must, in accordance with Federal and University policy, disclose all significant financial interest, royalties, equity, consulting or salary payments (including those of their spouse and dependent children) that would reasonably appear to affect or be affected by the sponsored activity. Researchers may choose to disclose any other financial or related interest that could present an actual or perceived Conflict of Interest. Any such disclosure should provide sufficient detail to permit an accurate and objective evaluation. Such disclosures must be reviewed to determine whether further action is required before the University expends any awarded funds or issues a purchase order or subcontracts for the acquisition of goods and services related to that project. The Dean will review the researcher's annual disclosure form prior to approving the internal grant application form.

As with all other Conflicts of Interest, disclosures pertaining to research are required at least annually or more frequently, if new reportable information is obtained during the period of an award.

Collaborators/sub-recipients/subcontractors from other institutions involved in externally sponsored research of the University must either comply with this policy or provide a certification from their institutions that they are in compliance with Federal policies (i.e. National Institute of Health, Department of Health and Human Services, Internal Revenue Service) regarding disclosure of Conflicts of Interests and that their portion of the project is in compliance with their institutional policies. This procedure is posted on the Portal.

Appeals and Non-Compliance

An individual may appeal a University decision to the President and the VP for Human Resources who will review it. The findings and recommendations of the President will be the final decision.

DISCIPLINARY ACTION

It is important that all employees perform to the best of their abilities at all times. There will be occasions, however, where employees perform at an unsatisfactory level, violate a policy, or commit an act that is inappropriate. As previously noted, the employee or the employer may terminate employment at will at any time with or without cause and without following any system of discipline or warnings. Nevertheless, the University may in certain cases, choose to exercise its discretion to utilize forms of discipline that are less severe than termination.

An employee may, of course, resign at any time. The University may also terminate the employment relationship without following any series of steps whenever it determines, in its own discretion, that such action should occur.

ETHICAL PRACTICES FOR MBKU EMPLOYEES

Each employee of the University is expected to abide by the following policy statement as it relates to their position on campus.

- Create, foster, and maintain an atmosphere of academic freedom conducive to the pursuit of knowledge and the open exchange of ideas on campus.
- Conduct all personal and public affairs mindful that the primary objective is to serve the best interests of the Institution and the profession.
- Place loyalty to the Institution above self-interest and above loyalty to special interests or constituent bodies.
- Formulate institutional decisions and Human Resources actions according to the best objective information and in compliance with the highest of professional standards.
- Provide for the establishment of institutional standards, policies and practices that promote the highest possible level of institutional effectiveness, academic quality, student character development, and ethical practices.
- Ensure that institutional policies and practices uphold the dignity of each member of the campus community and do not discriminate on such things as race, sex, age, national origin, physical disabilities (as outlined under the equal employment opportunity section of the handbook) or personal beliefs and preferences.
- Ensure that procedures are established to thoroughly review, in accordance with accepted standards of equity and due process, any allegations of unethical behavior or incompetence against any member of the campus community.
- Exercise appropriate integrity and caution in using financial resources that may be available through campus foundations or other organizations.
- Ensure that the Institution's business and public affairs are conducted in an ethically responsible manner.
- Encourage on campus recognition that we live in a world community and inspire within students and faculty an appreciation of cultural pluralism and intellectual diversity.
- Seek to develop and provide an environment for implementation of programs that will foster both the social and character development of students.
- Faithfully and accurately report the Institution's financial condition, status of physical facilities, quality and character of programs, and role and capacities to the public at large.
- Faithfully administer budget responsibility by following the approved policies and procedure in the Accounting Policies Manual.
- Create an atmosphere of collegiality and fairness in relationships with other institutions to ensure healthy competition, rather than destructive rivalry.
- Encourage a clear definition of the governance roles and responsibilities of the governing board and an atmosphere of open communication ensuring that everyone has a full understanding of the institutional mission and programs in order to discharge their governance responsibilities effectively.
- Demonstrate the highest degree of honesty, integrity and ethics at all times.

Failure to abide by this policy statement as it relates to their position on campus will result in disciplinary action up to and including termination.

PERFORMANCE REVIEWS

Regular performance reviews are an important part of the University's Human Resources policies. They provide an objective, consistent, and fair way to document employee's on-the-job effectiveness. The review process should provide an opportunity to discuss past performance and communicate expected standards and goals for the new review period.

Each employee will receive periodic performance reviews conducted by his or her supervisor. An employee's first performance review will take place on or about the completion of their Introductory Period. Subsequent performance reviews will be conducted as part of MBKU's common review cycle, held annually in the March – June time period. The frequency of performance reviews may vary depending upon length of service, job position, past performance, changes in job duties, or recurring performance problems.

An employee's performance review may review factors such as the quality and quantity of the work he or she performs, knowledge of the job, initiative, work attitude, and attitude toward others. The performance reviews are intended to make him/her aware of their progress, areas for improvement and objectives or goals for future work performance. Favorable performance reviews do not guarantee increases in salary or promotions. Salary increases and promotions are solely within the discretion of MBKU and depend upon many factors in addition to performance. After the review, an employee will be given a chance to comment on the review process and be required to sign the performance review document simply to acknowledge that it has been presented to him/her, that they have discussed it with their supervisor, and that they are aware of its contents.

PROFESSIONAL STANDARDS OF DRESS

The University's professional atmosphere is maintained in part by the image that employees present to patients, students, other employees and visitors. Employees are expected to dress neatly and in business attire that is consistent with the nature of the work performed and is appropriate for a professional health care environment. Acceptable clothing for employees includes suits, sport coats, or dress shirts and slacks, blouses and sweaters with skirts or dress slacks or dresses. Casual sportswear, e.g. jeans, shorts, along with tight fitting leather, tight fitting knits and mini-length skirts or dresses, T-shirts, tank, halter or low-cut tops, and tennis shoes, casual sandals and flip flops are not considered appropriate and should not be worn to work. All clothing should be clean and without rips or holes. This list is an example of inappropriate dress and should not be considered a complete list. Employees who report to work inappropriately dressed may be asked to clock out and return to work in acceptable attire. Department Directors may issue more specific guidelines beyond these.

Hair must be clean and demonstrate evidence of good grooming and styling. Beards and moustaches, when neat and groomed, are permissible. Jewelry should be conservative. Body piercing that goes beyond normal,

conservative ear piercing, does not promote the health conscious image that the University wants to depict to its patients and therefore should be avoided. For the same reason, tattoos are to be covered by clothing.

Because of the presence of patients, employees working in the Clinic are held to a higher standard. The Clinic Dress Code is addressed in the Clinic Manual.

Employees who are provided with a uniform should keep them in a neat and clean condition. Employees provided with uniforms must always wear them while on duty. Employees are required to return their uniforms in a timely manner upon termination of their employment. If there are any questions as to what constitutes proper attire within a given department, the supervisor or department head should be consulted in advance.

POLICY AGAINST UNLAWFUL HARASSMENT, DISCRIMINATION, AND RETALIATION

The University is committed to providing a work environment that is free of unlawful harassment, discrimination, and retaliation. In furtherance of this commitment, the University strictly prohibits all forms of unlawful discrimination and harassment, including: discrimination or harassment on the basis of race (including traits historically associated with race, such as hair texture and protective hairstyles, including braids, locks, and twists), ethnicity, religion, religious creed (including religious dress and grooming practices), color, caste, sex (including childbirth, breast feeding, and related medical conditions), gender, gender identity or expression, sexual orientation, national origin, ancestry, citizenship status, uniform service member and veteran status, marital status, pregnancy, age (40 and over), protected medical condition (including cancer and genetic conditions), genetic information, disability (mental and physical), reproductive health decision-making, medical leave or other types of protected leave (requesting or approved for leave under the Family and Medical Leave Act or the California Family Rights Act), domestic violence victim status, political affiliation, or any other category protected by applicable federal, state, or local law.

The University's policy against unlawful harassment, discrimination, and retaliation applies to all employees, including supervisors and managers. It also applies to all customers, vendors, and independent contractors as well as to all unpaid interns and volunteers (all of whom are designated for the terms of this policy as "Business Associates"). The University prohibits managers, supervisors, and employees from harassing subordinates or co-workers as well as the University's Business Associates. Any such harassment will subject an employee to disciplinary action, up to and including immediate termination. The University likewise prohibits its Business Associates from harassing our employees, unpaid interns, and volunteers.

Examples of Prohibited Sexual Harassment: Sexual harassment includes a broad spectrum of conduct including harassment based on sex, gender, gender transition, gender identity or expression, or sexual orientation. By way of illustration only, and not limitation, some examples of unlawful and unacceptable behavior include:

- Unwanted sexual advances or flirtation;

- Offering an employment benefit (such as a raise or promotion) in exchange for sexual favors, or threatening an adverse action (such as termination or demotion) for an employee's failure to engage in sexual activity;
- Visual conduct, such as leering, making sexual gestures, and displaying or posting sexually suggestive objects or images;
- Verbal sexual advances, propositions, requests, or comments;
- Electronically sending or posting sexually-related text messages, videos, or images;
- Verbal abuse of a sexual nature, graphic verbal comments about an individual's appearance or anatomy, sexually degrading words used to describe an individual, and suggestive or obscene letters, notes, or invitations;
- Physical conduct, such as touching, kissing, groping, assault, or blocking movement;
- Physical or verbal abuse concerning an individual's gender, gender transition, gender identity, or gender expression; and
- Verbal abuse concerning a person's characteristics such as pitch of voice, facial hair or the size or shape of a person's body, including remarks that a male is too feminine or a female is too masculine.

Other Examples of What Constitutes Prohibited Harassment: In addition to the above listed conduct, the University strictly prohibits harassment concerning any other protected characteristic. By way of illustration only, and not limitation, such prohibited harassment includes:

- Racial or ethnic slurs, insults, and any other offensive remarks based on a protected characteristic;
- Jokes, whether written, verbal, or electronic, that are based on a protected characteristic;
- Mocking or ridiculing another's religious or cultural beliefs, practices, or manner of dress;
- Threats, intimidation, horseplay, or other menacing behavior that are based on a protected characteristic;
- Inappropriate verbal, graphic, or physical conduct, including practical jokes based on a protected characteristic;
- Electronically sending or posting harassing text messages, videos, or images; and
- Other harassing conduct based on one or more of the protected characteristics identified in this policy.

If you have any questions about what constitutes prohibited harassing behavior, ask your supervisor or Human Resources.

Prohibition Against Retaliation: The University is committed to prohibiting retaliation against those who themselves or whose family members report, oppose, or participate in an investigation of alleged unlawful harassment, discrimination, or other wrongdoing in the workplace. By way of example only, participating in such an investigation includes, but is not limited to:

- Filing a complaint with a federal or state enforcement or administrative agency;

- Participating in or cooperating with a federal or state enforcement agency conducting an investigation of the University regarding alleged unlawful activity;
- Testifying as a party, witness, or accused regarding alleged unlawful activity;
- Making or filing an internal complaint with the University regarding alleged unlawful activity;
- Providing notice to the University regarding alleged unlawful activity;
- Assisting another employee who is engaged in any of these activities.

The University is further committed to prohibiting retaliation against qualified employees who request a reasonable accommodation for any known physical or mental disability and employees who request a reasonable accommodation of their religious beliefs and practices. In addition, the University will not penalize or retaliate against an employee who is a victim of domestic violence, sexual assault, or stalking for requesting leave time or accommodations in the workplace to ensure the employee's safety and well-being.

What You Should Do If You Feel You Are Being or Have Been Harassed, Discriminated Against, or Retaliated Against

If you feel that you are being or have been harassed, discriminated against, or retaliated against in violation of this policy by any employee, supervisor, manager, or Business Associate of the University, you should immediately report it to your manager or supervisor or to the Vice President for Human Resources as follows:

- In person, at the Human Resources Department, Marshall B. Ketchum University, 2575 Yorba Linda Blvd, Fullerton CA 92831 or
- By telephone, at (714)449-7459; or
- By e-mail, at humanresources@ketchum.edu.

In addition, if you observe harassment by another employee, supervisor, manager, or Business Associate, please report the incident immediately as indicated above.

Supervisors who receive any complaint of harassment, discrimination, or retaliation must promptly report such complaint to the Vice President for Human Resources.

Your notification of the problem is essential to us. We cannot help resolve a harassment problem unless we know about it. Therefore, it is your responsibility to bring your concerns and/or problems to our attention, so we can take appropriate steps to address the situation. The University takes all complaints of unlawful harassment seriously and will not penalize you or retaliate against you in any way for reporting a harassment problem in good faith.

All complaints of unlawful harassment which are reported to management will be investigated as promptly as possible by an impartial and qualified person and, upon conclusion of such investigation, appropriate corrective action will be taken where warranted. The University prohibits employees from refusing to cooperate with

internal investigations and the internal complaint procedure. All complaints of unlawful harassment reported to management will be treated as confidentially as possible, consistent with the University's need to conduct an adequate investigation.

Violation of this policy will subject an employee to disciplinary action, up to and including immediate termination. Moreover, any supervisor or manager who condones or ignores potential violations of this policy will be subject to appropriate disciplinary action, up to and including termination. Additionally, under California law, employees may be held personally liable for harassing conduct that violates the California Fair Employment and Housing Act.

STANDARDS OF CONDUCT

Like all other organizations, the University requires order and discipline to succeed and to promote efficiency, productivity, and cooperation among employees. For this reason, it may be helpful to identify some examples of types of conduct that may lead to disciplinary action, up to and including immediate discharge. Although it is not possible to provide an exhaustive list of all types of inappropriate conduct and performance, the following are some examples.

1. Falsification or making a material omission on an employment application or making erroneous entries or material omissions on records that are the property of the University.
2. Insubordination, including improper conduct toward a supervisor, refusal to perform tasks appropriately assigned by a supervisor, refusal to obey the normal or emergency instructions of security officials or other proper authorities.
3. Failure to follow approved accounting policies and procedures as outlined in the Accounting Policies Manual, e.g., inappropriate handling of cash and deposits, failure to complete Material Requisition Forms (MRFs) appropriately.
4. Personal use of University postage, copy machines, FAX machines, e-mail, internet, supplies, or phones.
5. Theft, unauthorized removal, or destruction of property belonging to the University, fellow employees or students.
6. Altering or falsifying any timekeeping record, intentionally completing another employee's time record or allowing someone to complete their time record.
7. Actual or perceived threat of violence towards another employee or against the property of the University.
8. Sexual harassment or other unlawful harassment against an employee, student or third party.
9. Derogatory statements which undermine the Institution and/or any member(s) of the University community.
10. Disclosing information considered confidential by the University (i.e. payroll, personnel or patient records).

11. Possession, distribution, sale, use or being under the influence of illegal drugs or alcohol or bringing firearms, weapons or explosives on or to University-owned property and/or any affiliated clinic.
12. Using the University's internet capability to access inappropriate or objectionable material as spelled out in the University's Electronic Communications Policy in Chapter G.
13. Discourtesy toward others (e.g., failure to work harmoniously with fellow staff or serve the public with courtesy). Bullying of any kind to other employees, students or patients.
14. Sleeping on duty.

It should be remembered that employment is at the mutual consent of the employee and the University. Accordingly, either the employee or the University can terminate the employment relationship at will, at any time, with or without cause or advance notice.

WORKPLACE ANTI-BULLYING POLICY

MBKU is committed to providing a work environment that is safe and healthy and reflects the highest level of ethical and respectful conduct. To that end, this policy prohibits conduct often referred to as bullying that is intimidating, hostile, verbally or physically abusive.

This policy applies to all University managers, supervisors, employees, patients, students, vendors, applicants, and independent contractors. This policy applies at all MBKU locations, sponsored social or other events; as well as activities at which one represents MBKU.

MBKU defines bullying as repeated, deliberate abusive behavior, either direct or indirect, whether verbal, physical or psychological, conducted by one or more persons against another (or others) that impacts the person or person's ability to do their job.

The following examples, while not exhaustive, may constitute or contribute to evidence of bullying in the workplace:

Verbal:

- Slandering, ridiculing or maligning a person or his or her family
- Persistent name calling, which is hurtful, insulting or humiliating
- Using a person as butt of jokes
- Abusive and offensive remarks or language
- Insults
- Teasing
- Spreading rumors
- Unreasonable criticism or trivializing work or achievements
- Sabotaging efforts

Physical:

- Pushing, shoving, poking, tripping
- Assault, or threat of physical assault
- Damage or deliberately interfering or tampering with a worker's personal effects or work equipment including phone, computer, email, internet, software

Psychological:

- Isolating people from normal work interaction
- Excessive demands
- Setting unrealistic goals and deadlines
- Deliberately setting someone up for failure
- Excessive supervision
- Practical jokes or horseplay
- Public ridicule and ostracism
- Belittling or disregarding opinions or suggestions
- Persistent singling out of one person
- Shouting, raising voice at an individual in public and/or in private
- Public humiliation or reprimands in any form
- Constant criticism on matters unrelated or minimally related to the person's job performance or description
- Ignoring/interrupting an individual at meetings
- Repeatedly accusing someone of errors that cannot be documented
- Encouraging others to disregard a supervisor's instructions
- Manipulating the ability of someone to do his or her work (e.g., overloading, underloading, withholding information, setting meaningless tasks, setting deadlines that cannot be met, giving deliberately ambiguous instructions or supplying incorrect information)
- Assigning menial tasks not in keeping with the normal responsibilities of the job
- Consistently taking credit for another person's ideas
- Refusing reasonable requests for leave without legitimate work- related justification

Non-Verbal:

- Non-verbal threatening gestures
- Glances which can convey threatening messages

Context is important when considering whether conduct rises to the level of bullying. Bullying may be intentional or unintentional and has the effect of demeaning, intimidating or humiliating individuals or as a group. Demeaning conduct is quite different than friendly banter or playful teasing. Bullying behavior is often part of a pattern but can also occur as a single incident. The key consideration is how the conduct is received and perceived by the recipient.

The University encourages any employee, manager or executive who believes that he or she has been or is being subjected to bullying to immediately report the incident promptly to his or her manager and/or the Vice President for Human Resources. Where appropriate, an investigation will be conducted. All employees, managers and executives have an obligation to cooperate with any investigation.

Bullying is unacceptable behavior because it breaches principles of equality and fairness, and it frequently represents an abuse of power and authority. It also has potential consequences for everyone involved.

Any employee, manager or executive found to violate this policy will be subject to disciplinary action, up to and including, termination of employment. Any manager or supervisor who is aware of any possible violation of this policy and fails to take corrective action or notify the VP for Human Resources will be subject to disciplinary action, up to and including discharge.

The University will not tolerate any retaliation against any employee who reports known or suspected violations of this policy or who participates in any investigation of the complaint. The University recognizes that false accusations can have serious effects on innocent individuals. The University trusts that all its employees will act responsibly to establish and maintain a pleasant and productive working environment.

SECTION G - POLICIES, PROCEDURES AND SAFETY ISSUES

This section covers the policies, procedures and safety issues that help set the ground rules for working at the University. It is important to remember that failure to follow the policies set forth in this section could result in disciplinary action up to and including termination.

ALTERNATIVES TO ILLEGAL FILE SHARING

The MBKU network is intended for the business operation of the University, research, and educational needs. The University maintains an internet connection adequate for these needs but does not have adequate resources to allow non-essential high bandwidth applications. While casual web browsing is allowed, higher bandwidth personal applications such as Hulu, iTunes, etc. are not considered essential to the University's mission and students and employees are requested to not use these applications.

The MBKU Library provides licensed electronic access to books and journals through several publishers and databases. Access is provided through the library website on campus and through EZ-Proxy. Authorized users are the full-time and part-time students, faculty, staff, researchers, and individuals using computer terminals within the library facilities. By signed license agreement, each authorized user may: access, search, browse, view, print and store electronic copies for the exclusive use of each authorized user, one article per journal issue, or one chapter or 10% of each book. The University has an Academic license through the Copyright Clearance Center (CCC). Journal titles should be checked through CCC before any distribution of copyrighted material takes place. If a journal title is not covered by our license, then, by signed license agreement, authorized users absolutely may not redistribute, or retransmit journal articles or book chapters downloaded from any of the electronic resources provided by the library.

"Fair Use" allows one to copy limited amounts of copyrighted material without requiring him/her to ask permission from the copyright owner first. Before copies of copyrighted material are made, the employee should use the four factors below to evaluate if his or her use of the material is "fair" or not:

- The purpose and character of the use (most importantly whether it is for commercial gain or for nonprofit educational purposes)
- The nature of the copyrighted work (how creative or non-creative is the work)
- The amount and substantiality of the portion used in relation to the work as a whole.
- The effect of the use upon the potential market for or value of the copyrighted work.

For more in-depth information on copyright laws and policies, please see the MBKU library website.

ANNUAL DISCLOSURES

A good rule to follow: "If you are downloading something for free that you would normally pay for, there is a good chance that it is illegal."

All MBKU users must respect the copyrights in works that are accessible through computers connected to the MBKU network. Federal copyright law prohibits the reproduction, distribution, public display or public performances of copyrighted materials without permission of the copyright owner, unless fair use or another exemption under the copyright law applies. It is the policy of MBKU to respect the intellectual property rights of others. If it comes to the attention of the University that an individual is using MBKU computer equipment and/or network access to violate copyright law, the university will take action to stop such activities.

- The University has the right to determine appropriate use of the MBKU name, shield, Program name and associated logos and images. Any unauthorized use is a violation of copyright laws.
- Any copyright violation traced to students will be referred to the relevant Program Conduct Officer for adjudication. Copyright violation penalties may include the loss of network connectivity and disciplinary action.
- Any copyright violations traced to faculty or staff will be referred to the University's Legal Counsel. Copyright violations for faculty and staff are treated as a breach of ethical and professional conduct and will be handled following established disciplinary procedures including verbal and written warnings, suspension and possible termination.
- In addition, violations of copyright law can lead to criminal charges and civil penalties. Under current copyright law, criminal cases of copyright violation carry a penalty of up to five years in prison and a \$250,000 fine. Civil penalties of copyright infringement include a minimum fine of \$750 for each work. While criminal prosecution for illegal downloading is rare, civil law suits are quite common.

If an employee is in doubt regarding an issue or questionable use he or she should contact the Director of Information Technology Services or the Director of Library Services to resolve the issue before pursuing any questionable use of MBKU resources.

ANONYMOUS MATERIAL

No anonymous material, except approved course or employee reviews, shall be kept by the administration, faculty, or students concerning any University employee or student. Anonymous material received concerning any individual, except for approved course or employee reviews, shall not be kept in an individual's file. All anonymous material, except such approved reviews, shall be brought to the attention of the targeted individual and placed in a secure file in the President's Office.

Anonymous material that threatens the safety of any persons or property at the University will be brought to the immediate attention of the appropriate law enforcement agencies.

BUSINESS TRAVEL, ENTERTAINMENT AND MISCELLANEOUS EXPENSE POLICY

The purpose of the Business Travel, Entertainment and Miscellaneous Expense Policy is to provide broad guidelines for official business travel and entertainment reimbursement to employees. Employees are expected

to spend University funds prudently when traveling on University business or entertaining for University purposes.

The University will reimburse employee travel and entertainment related expenses only when they are reasonable, appropriately documented, properly authorized and within the guidelines of the policy. Allocated travel, entertainment, and miscellaneous funds are a part of the annual University budget recommended by the administration and adopted by the Board of Trustees. Each department is responsible to operate within the approved budget for each fiscal year.

For more detailed information, please refer to the Accounting Policy & Procedure Manual, kept on the MBKU Portal.

CAMPUS HOURS

The campus hours are 6:00 am – 1:00 am. Employees on campus after 11:00 pm should contact the safety/security department so they know their whereabouts for safety purposes.

CELL PHONES AND ELECTRONIC DEVICES

The personal use of cell phones and other electronic devices in the classrooms, laboratories and clinical patient care facilities is disruptive and interferes with the integrity and decorum of the academic and patient care programs. All cell phones and other electronic devices for personal use need to be turned off while in these areas. Individuals wishing to use their cell phones should use private offices when making such calls.

Writing, sending or reading text-based communications – including text messaging, instant messaging, email, web-browsing and use of smart phone applications – on a wireless device or cell phone while driving is also prohibited under this policy.

In the interest of the safety of our employees and other drivers, MBKU's employees are prohibited from using cell phones while driving on University business and/or University time. If his or her job requires that he or she keep their cell phone turned on while they are driving, he or she must use a hands-free device and safely pull off the road before conducting University business. Under no circumstances should employees place phone calls while operating a motor vehicle while driving on University business and/or University time. Violating this policy is a violation of California state law and a violation of University rules.

Understanding the benefits in increased productivity by way of personal smart phones and other mobile computer devices, the following required guidelines are intended to protect University data that are transacted or stored on personal computer devices.

- Password protection to access the mobile computer device is required using strong passwords or complex patterns (i.e. Android devices).
- Security patches announced by the manufacturer must be installed at your earliest convenience.

- Supervisor approval is required for usage of personal computer devices for clinic communications.

For more detailed information, please refer to the MBKU Cyber Security Policy, kept on the MBKU portal (my.ketchum.edu).

CHILDREN IN THE WORKPLACE

The University values family life and has worked to develop employment policies and benefits that are supportive of families. While the University seeks to focus on providing an environment open to work and family issues, it also believes that the workplace should not be used in lieu of a childcare provider. Further, the University believes that it is inappropriate for minor children of employees to be in work areas during work hours for several reasons:

- risk of harm to the children
- decreased employee productivity due to distractions and disruptions
- the potential liability to the University

It is therefore the policy of the University that minor children of employees are not present at an employee's workplace (e.g., office or classroom), in lieu of other childcare arrangements, during the employee's working hours. This policy is not intended, however, to prohibit children from the campus when the purpose of their visit is to obtain professional eye care or to attend a campus social function.

CLOUD SERVICE PROVIDERS

While Cloud Service Providers can enable functions within the University that would otherwise not have been economically possible, the University recognizes that guidelines are required to ensure compliance is met and security risks are kept to a minimum. The following types of data are strictly prohibited from being stored or processed within a Non-University approved cloud provider: PII (personal identifiable information), PHI (protected health information), SSN (Full Social Security Numbers), Credit card numbers (Full Account numbers), Student Records (Grades, DOB, Photo). All other data require University consideration to ensure efficiency with vendor centralization and that security and contract standards are met.

For more detailed information, please refer to the MBKU Cyber Security Policy, kept on the MBKU portal (my.ketchum.edu).

COMPUTER SOFTWARE

Software that resides on MBKU's computer systems (personal computers, minicomputers, etc.) is acquired through a license agreement with the manufacturer. Copying of this software and/or documentation is strictly prohibited. Computer software not licensed by MBKU should not be installed or downloaded onto any computer on campus. This could result in introducing a virus into the system or violating licensing laws. Any inquiries regarding the terms and conditions of the licenses should be directed to the Director of Information Technology.

COPY MACHINE USAGE

Copy machines are located throughout the campus and in the mailroom. Because of the higher per copy cost charged on department copiers, these machines should be used for small jobs only. All large jobs consisting of an output of 50 copy pages or more must be sent to the mailroom to be reproduced.

DRUG AND ALCOHOL ABUSE

The University is operating in conformity with the Drug-Free Workplace Act of 1988 and as such is concerned about the use of alcohol, illegal drugs, or controlled substances as it affects the workplace. Use of these substances whether on or off the job can adversely affect an employee's work performance, efficiency, safety and health and therefore, seriously impair the employee's value to the University. In addition, the use or possession of these substances on the job constitutes a potential danger to the welfare and safety of other employees and exposes the University to the risks of property loss or damage, or injury to other persons.

The following rules and standards of conduct apply to all employees either on University property or during the workday (including meals and rest periods).

The University strictly prohibits the following:

1. Possession or use of alcohol or being under the influence of alcohol while on the job.
2. Driving a University vehicle while under the influence of alcohol.
3. Distribution, sale or purchase of an illegal or controlled substance while on the job.
4. Possession or use of an illegal or controlled substance or being under the influence of an illegal or controlled substance while on the job.

Violation of the above rules and standards of conduct will not be tolerated and are subject to disciplinary action up to and including termination. The University also may bring the matter to the attention of appropriate law enforcement authorities.

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

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

All employees must notify the University within five (5) calendar days if convicted of any criminal drug statute for a violation occurring in the workplace. A conviction for purposes of this reporting requirement includes: a finding of guilt, a no-contest plea, or imposition of a sentence by a judicial body charged with determining

violations of federal or state criminal drug statutes prohibiting manufacture, distribution, dispensation, use or possession of any controlled substance.

The University is required by the Drug-Free Workplace Act to notify the appropriate government contracting or granting agency of any convictions of its employees within ten (10) days after the University learns of the conviction; and, the University must take appropriate personnel action against the employee, which may include drug assistance, rehabilitation, or discharge.

The use of prescription drugs and/or over-the-counter drugs may affect an employee's job performance. Any employee who is using prescription or over-the-counter drugs that may impair the employee's ability to safely perform the job, or affect the safety or well-being of others, must notify a supervisor of such use immediately before starting or resuming work.

The University will encourage and reasonably accommodate employees with chemical dependencies (alcohol or drug) to seek treatment and/or rehabilitation. To this end, employees desiring such assistance should request treatment or rehabilitation leave by contacting the VP for Human Resources. The University, however, is not obligated to continue to employ any person whose performance of essential job duties is impaired because of drug or alcohol use, nor is the University obligated to re-employ any person who has participated in treatment and/or rehabilitation if that person's job performance remains impaired because of dependency. Additionally, employees who are given the opportunity to seek treatment and/or rehabilitation but fail to successfully overcome their dependency or problem will not automatically be given a second opportunity to seek treatment and/or rehabilitation. This policy on treatment and rehabilitation is not intended to affect the University's treatment of employees who violate the regulations described above. Rather, rehabilitation is an option for an employee who acknowledges a chemical dependency and voluntarily seeks treatment to end that dependency.

Note: Effective January 1, 2018, the State of California has removed certain criminal penalties for marijuana, in particular legalized medical/recreational use under certain circumstances. California now allows the private recreational use and possession of small amounts of marijuana for people 21 years of age and older.

Marijuana is still illegal under federal law and is prohibited under the Drug Free Schools and Communities Act. The Controlled Substances Act states that the growing and use of marijuana is a crime. Federal enforcement agencies can prosecute on this basis regardless of state law. In addition, the Drug Free Schools and Communities Act requires the prohibition of marijuana at any University receiving federal funding. MBKU is one such University.

As a result of these federal regulations, MBKU prohibits, employees, students and members of the general public from possessing, using, or distributing marijuana in any form in any University-owned or operated facility and during any University activity.

ELECTRONIC COMMUNICATIONS POLICY

The University recognizes the importance of voicemail, e-mail, internet, and other emerging forms of electronic communications as valuable tools that greatly assist in the timely and efficient flow of communications by employees at all levels. To protect the University's interests and prevent exposure to unnecessary liabilities, all electronic communications including the Internet, must be used in a prudent and lawful manner for University business. Individuals who fail to abide by stipulations set forth in this policy will be subject to immediate termination.

Use of Electronic Communications

The University encourages access of the Internet and other forms of electronic communication for direct work-related benefit. Incidental and occasional personal use of these resources is permitted provided access occurs outside of regular working hours (i.e., before and after work or during breaks), and does not conflict with the primary business purpose for which they have been provided, the University's policies, or with applicable laws and regulations. An Administrator must approve any information concerning any aspect of the University or its Clinics before the information is placed on an electronic information source.

Recognizing the cyber threats that exists via e-mail, internet, and other electronic communications (Instant Messaging), the University reserves the right to audit an individual's usage of such technologies if there are indications of misuse or irresponsible behavior. Repeated violations of The Acceptable Use Policy below may result in disciplinary action, up to and including termination of employment. Some examples of repeated misuse or irresponsible behavior includes repeatedly clicking on phishing emails, opening suspicious files/attachments, or visiting suspicious websites.

Acceptable Use Policy

Employees are provided access to University systems and data based on their role and responsibility within the University. Each employee is responsible for protecting the credentials used to access systems as well as being responsible for the confidentiality, integrity, and availability of their individual files and information. Personal laptops should be kept physically secure and proper care must be taken to minimize exposure to harmful elements such as dust, water, and excessive heat/cold.

The individual workstations and software provided to each employee is meant to support University functions and promote improvements in productivity and functionality. Misuse of information systems may introduce risk to the University. The following types of systems use are prohibited:

- Attempting to negate or disable security controls such as virus protection.
- Unauthorized use, destruction, modification, distribution of University information.
- Sabotaging or unauthorized repairs on University information systems. All repairs must be authorized by the IT department.
- Use of tools that test or compromise security, such as password sniffers or network scanners.

- Intentional interference with normal operations of University wired and wireless network, such as jamming devices or personal network hubs/switches.

ELECTRONIC COMMUNICATIONS - PROHIBITED USE

The University's systems may not be used to create, view, transmit or download material that is derogatory, defamatory, sexually explicit, or offensive. This includes, but is not limited to, slurs, epithets or anything that may be construed as harassment or disparagement based on race, color, national origin, sex, sexual orientation, age, disability, or religious and political beliefs.

The University's systems may not be used to post personal announcements, opinions, and personal views or solicit support for non-University related activities. Every time an employee accesses a site on the Internet or communicates via e-mail, his or her e-mail address, which identifies the University's, is recorded. Using any computer system in any way to discredit the University or compromise University confidential or proprietary information is prohibited.

The University's systems may not be used for profit or gain unrelated to authorized University business. Gambling or any other unlawful activity including violation of copyright, trademark, or other material protections laws, including copying of software in a manner inconsistent with vendor's license agreements is prohibited.

Employees may not install personal software on University equipment without prior approval from the IT department. All electronic information created by an employee using any means of electronic communication is the property of the University and remains the property of the University. Personal passwords may be used for purposes of security, but the use of a personal password does not affect the University's ownership of electronic information.

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

No Expectation of Privacy: The University reserves the right to access and review computer files, electronic files, messages, mail, etc. and to monitor the use of electronic communications as is necessary to ensure that there is no misuse or violation of University policy or any law. No one should have any expectation of privacy for messages or other data recorded or transmitted on the University's systems. These include documents or messages marked "private" and which are accessible only with a password, or those believed to have been deleted. The University reserves the right to override all personal passwords, as necessary, to ensure that there is no misuse or violation of University policy or any law to do so for any reason. Violations of this policy will lead to disciplinary actions up to and including discharge.

EMERGENCY CONNECT-BLACKBOARD CONNECT ALERT SYSTEM

The University has established an Emergency Alert System to be able to communicate with students and employees should there be an emergency. On an annual basis, and as changes occur, students and employees are asked to supply their contact information so that in the event of an emergency, we can reach everyone on and off campus via an 'instant mass communication' that is distributed via email, cell phone, home phone and as an option at a work number or by text messaging. We may need to advise employees not to come to the campus, give instructions on when to return or we may need employees to come to the campus to assist in helping get the campus operational. We can also use this communication system to send out instant messages to specific groups of students or employees about information that pertains to them.

EMPLOYMENT VERIFICATION

All requests for employment verifications must be directed promptly to the HR Department. Supervisors, employees, and faculty members should not attempt to provide any such information. HR will only verify title, dates of employment and if authorized by the employee, the salary. There is a separate policy for letters of reference/recommendation.

SEATING

The University provides suitable seating when the nature of an employee's work reasonably permits. If you feel you need seating at your workstation or feel your seating is inadequate, please inform your supervisor or the Human Resources Department.

TIME WORKED RECORDS FOR EXEMPT EMPLOYEES

- Exempt employees must request paid time-off (sick, vacation, PTO, jury duty, bereavement, etc.) through the Payroll System.
- Exempt employees must review their time records at the end of each pay period for accuracy.
- Off-site meetings and training must be recorded in the system.

TITLE IX

Consistent with Title IX of the Education Amendments of 1972, MBKU does not discriminate against students or employees based on sex in any of its programs or activities, including but not limited to educational programs, employment, and admission. Sexual harassment, including sexual violence, is a kind of sex discrimination and is prohibited by Title IX and the University.

MBKU is committed to responding promptly and effectively when it learns of any form of possible discrimination based on sex. The University responds to reports of sexual harassment, including sexual violence, as part of its efforts to stop the harassment and prevent its recurrence. MBKU also complies with California State laws

that protect individuals from discrimination on the basis of sexual orientation, as well as on the basis of gender identity.

If you wish to make a report regarding potential sexual harassment, you can do so by reporting to the Title IX Coordinator or any official with authority which include Deputy Title IX Coordinator (Wende Holtzen, VP for HR). Neither MBKU nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this Policy or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX Sexual Harassment and Non-Discrimination Policy.

For more information regarding the MBKU Title IX Policy, please refer to the Title IX Sexual Harassment and Non-Discrimination Policy ([Title IX Policy](#)) or you may contact the MBKU Title IX Coordinator who contact information is listed below:

Title IX Coordinator – Dr. Melissa Contreras

Office Location – Low Student Union

Email – mcontreras@ketchum.edu

Phone – (714)449-7423

IDENTIFICATION/ACCESS CARDS

Identification/Access Cards are issued to all employees for identification and security purposes and must be worn in a visible location while on campus. Campus Security has the authority to verify the existence of the identification card at any time an employee is on campus. The card also functions as an access card which is programmed to allow entrance into certain buildings, offices and parking structures as needed. If an employee does not have his or her card, access to these areas may be denied. To gain access to the parking structure, the access card should be always used. In the event the employee does not have the access card, he or she can press the button at the gate and advise campus security. If an employee repeatedly does not have his or her access card when obtaining access to the parking structure, the employee's supervisor will be notified and the employee may be subject to disciplinary action up to an including termination.

The card is non-transferable to anyone, at any time, for any purpose. Disciplinary action up to including termination may result if it is discovered that the card was fraudulently used to gain access to any card-accessible area on campus. If a card is lost, an employee should immediately notify the Security Office and obtain a new one. There may be a \$25 charge to replace a lost card.

ILLEGAL SHARING OF COPYRIGHTED WORKS

The Higher Education Opportunity Act of 2008 (HEOA) includes provisions that are designed to address illegal peer-to-peer sharing of copyrighted works by those using campus networks. Although the MBKU network

infrastructure is a vital asset that enables academic and research activities by faculty, staff and students, it is important that this shared resource is used in compliance with copyright and information security laws.

The HEOA final regulations published on October 29, 2009 contain three general requirements that MBKU must implement to control against illegal file sharing or risk losing Federal financial aid funding for students.

- An annual disclosure to students describing copyright law and campus policies related to violating copyright law.
- Certify in the Department of Education Program Participation Agreement that MBKU has a plan to effectively combat copyright abuse on the campus network using a variety of technology-based deterrents.
- An agreement to offer alternatives to illegal file sharing or downloading.

IT Incident Reporting

Employees are required to report within 24 hours any incident that may result in the compromise of University Information assets to the Information Technology Department by phone or email (ITsupport@ketchum.edu). Typical incidents include virus/malware infection on a computer device where University data is stored, as well as lost or stolen laptops/DVD/USB or any storage device that contains University data.

For more detailed information, please refer to the MBKU Cyber Security Policies, kept on the MBKU portal (my.ketchum.edu).

INFECTION CONTROL POLICY

It is the desire of the University to provide a safe working environment for our employees. To do so, the risk of exposure to pathogens from blood and other potentially infectious materials must be minimized or eliminated. The Department of Labor (DOL), Occupational Safety and Health Administration (OSHA) has provided employers with guidelines to ensure that descriptions in the Infection Control Policy Manual are in line with those set forth by OSHA in the Federal Register, 29 CFR Part 1910.1030 Occupational Exposure to Blood-Borne Pathogens; Final Rule.

In order to minimize infections with HIV, Hepatitis B, Tuberculosis or other infectious diseases, it is necessary and essential that any employee whose duties involve any reasonably anticipated contact with blood or any other potentially infectious material do the following:

1. Read, understand and follow the procedures and protocol described by the University's Exposure Control Plan, that is part of the "Clinical Policies and Procedure Manual" found on the MBKU Portal.
2. Clarify any questions an employee might have concerning the Exposure Control Plan with the Infection Control Officer.
3. Sign an agreement provided to employee by the Infection Control Officer that states he or she has read and understands the Exposure Control Policy implemented by the University and he or she will abide by these procedures and protocols while they are present in a particular worksite of the University.

INJURY ON THE JOB

If an employee is injured while at work, he or she must report it immediately to his or her supervisor, regardless of how minor the injury may be. The law requires a workers' compensation claim form (DWC-1) to be completed and filed within 24 hours of an accident.

The University's industrial injury provider will provide treatment unless the employee has made a written request, prior to the injury, to be treated by his or her personal physician for work-related injuries or illnesses. Forms to make this request are available in the HR Department.

If an employee has any questions regarding the workers' compensation insurance program, he or she should contact the HR Department.

LETTERS OF REFERENCE/RECOMMENDATION

Letters of reference/recommendation requested by former and current employees may be provided at the University's sole discretion. A letter of reference/recommendation can be prepared by any of the employee's previous supervisors, current supervisor, or any supervisor within the chain of command for that employee, while employed at the University. Any letter of recommendation for a current employee should first be reviewed by the VP for Human Resources. A copy of any letter of reference/recommendation provided to an employee must be maintained in his or her personnel file. The preparation or provision of any unauthorized reference or recommendation, including the provision of any verbal, personal, professional, or "off-the-record" reference in violation of this policy may result in disciplinary action. There is a separate policy for employment verifications.

LOST AND FOUND

Money, purses, electronic devices, and all other valuables should not be left out in the open or in areas where theft might occur. Lockers will be provided, upon request, for employees wishing to use them. The University maintains a Lost and Found located at the Campus Security Office so that lost items may be returned to their rightful owner. The University is not responsible for lost or stolen property. Thefts should immediately be reported to the Campus Safety and Security Office. To assist in the investigation, an incident report, available in Campus Safety and Security, must be completed.

MBKU CARE TEAM

As MBKU grows in numbers and locations, we continue to remain vigilant regarding campus safety. The University has established a Campus Assessment, Response, and Evaluation (CARE) Team that meets on a regular and as-needed basis to review and advise on disruptive, problematic, or concerning student behavior. The CARE Team responds to non-emergency concerns and uses a proactive approach to discuss potential problems, intervene early and develop appropriate courses of action for referred students. The goal is to support students who may be in distress or whose behavior is of concern to others before they rise to crisis levels.

Core members of the team include representatives from Title IX, Disability Services, Enrollment and Enrollment and Student Services, Student Counseling Services, and Campus Safety. Employees from other departments, administration, and/or legal counsel will be consulted as needed.. The CARE Team does not handle classroom management, disciplinary processes/student conduct and/or public safety responses to incidents.

The purpose of the MBKU CARE Team is to:

- Promote student success by providing caring support and resources to students experiencing difficulty.
- Promote campus community health and safety by gathering information to identify early warning signs of disruptive behavior and executing proactive intervention plans.
- Provide structure for an effective method of addressing student behaviors that impact the University.
- Develop and review policies that address disruptive or threatening behavior.
- Assess, evaluate and evolve team function and protocol over time as best practices are identified and redefined.
- Provide support for College and University departments dealing with difficult and/or abnormal student behavior situations; and
- Empower the MBKU community through education regarding social responsibility for contributing to a safe campus culture.

Please refer to the Faculty and Staff Guide for Assisting Students in Distress (located on the Faculty and Staff Compliance page on Moodle) and report all concerning behavior to the CARE Team via the Report a Concern form located on the Home page of the portal or contact the Vice President for Enrollment and Student Services.

MBKU PLAN TO COMBAT THE UNAUTHORIZED DISTRIBUTION OF COPYRIGHTED MATERIAL

MBKU currently blocks ports commonly used for illegal peer-to-peer use and monitors remaining network traffic for possible illegal use. Weekly reports are checked for possible illegal activity. When high bandwidth consumers are observed, MBKU representatives will contact such users to ensure that their bandwidth consumption is the result of legal purposes only.

Warning signs are posted by each copy machine on campus stating that the person using this equipment is liable for any infringement.

The University will also apply traffic monitoring and aggressively respond to Digital Millennium Copyright Act notices.

NON-SERVICE ANIMALS ON CAMPUS

Animals are welcome additions to many people's lives. However, animal owners must be cognizant of how bringing their pets to campus could negatively affect others. Members of the MBKU community may have

allergies or be fearful of the animals. In addition, animals may cause unwanted distractions and disruptions in some cases.

Unless a registered service animal, animals belonging to employees are not allowed in campus buildings or clinics. This policy applies to everyone at MBKU unless a specific exception has been granted.

Any questions regarding this policy should be directed to Human Resources. Violations to this policy may result in disciplinary action, up to and including termination.

OFF-DUTY USE OF FACILITIES

Employees are prohibited from being on campus or making use of University facilities while not on duty. The exceptions would be the use of the library and fitness center. The fitness center is open during campus hours (see handbook policy on the Fitness Center under section E). Employees are also prohibited from using University facilities, property or equipment for personal use. There is also a separate policy on Use of University Facilities for Extra Curricular Activities under section H. Violations to this policy may result in discipline and/or removal of access.

PARKING ON CAMPUS

Employees are required to pay parking fees on a per payroll basis (prorated for part-time schedules). Parking permits are arranged through the Human Resources Department with the fee deducted from each paycheck.

Upon paying the basic fee, a permit will be issued which entitles the holder to park in any non-reserved space in the designated parking areas for employees. Handicap spots are available with proper documentation. The permit should be displayed in the front window of the vehicle. A numbered reserved parking space is available to anyone in the campus community who chooses to pay an extra fee for the privilege of having a designated parking space. All reserved parking spaces will be identified with a "reserved" marking.

All clinic patients and visitors are to park in the designated visitor spots. All employees choosing to park at a MBKU facility will be required to pay a fee.

PERSONAL TELEPHONE CALLS

Employees are requested to keep all personal phone calls to a minimum. Friends and relatives should be discouraged from calling during working hours unless there is an emergency. Under no circumstances should an employee make or charge for a long-distance call to the University unless it is work-related.

Employees who disregard this policy and continually use the telephone system for personal calls that are not, in the University's opinion, urgent in nature or necessary, may be subject to disciplinary action.

PROBLEM RESOLUTION PROCESS

If there is a problem, please speak with your immediate supervisor as soon as possible. Your immediate supervisor is the person responsible for what takes place in your immediate work area and may be in the best position to help you.

If the employee prefers not to speak with his or her immediate supervisor, or if the employee feels their immediate supervisor cannot or has not satisfactorily resolved the issue, contact the VP for Human Resources. Finally, if you still feel the need to speak to other members of management, we encourage you to contact the President.

If the employee has a complaint of harassment or discrimination, or requires a reasonable accommodation, please refer to the Equal Employment Opportunity Policy or the Policy Against Unlawful Harassment, Discrimination, and Retaliation in this handbook.

The University takes all employee concerns and problems seriously. The University will work to address the employee's concern and/or resolve the problem as soon as possible. Employees are encouraged to utilize this procedure without fear of retaliation.

RELEASE OF UNIVERSITY RECORDS

Any request for review or release of any University record by an agency or individual should be directed to the employee's supervisor. Release or review of University records must have prior approval of the President, Vice President for Human Resources, Dean, Vice President for Enrollment and Student Services, Vice President for Administration & Financial Affairs, CFO, or Vice President for University Advancement. This policy includes, but is not limited to, patient, student, and alumni records, financial, operation and human resources records of the University. At no time may employees disclose confidential University information. To do so will result in disciplinary action, up to and including, discharge.

SAFETY AND SECURITY

To achieve the goal of providing a safe workplace, everyone must be safety conscious. Any unsafe or hazardous condition must be reported immediately to the Director of Safety and Security. If an employee is unable to reach the Director of Safety and Security, he or she should contact another member of the Safety and Security team or the VP for Human Resources. Every effort will be made to remedy problems as quickly as possible.

To provide a safe and secure environment, Emergency Buttons are located throughout the campus in strategic locations including some hallways, offices and in the parking structure. When activated, the alarms will alert the Campus Safety Office to the exact location of the emergency for a quick response. Employees should refer to

Evacuation Plans posted in each building for the location of these buttons. Surveillance cameras have also been installed throughout the campus and parking structure for employees' protection.

SMOKE FREE CAMPUS

The Administration, in its continuing effort to promote a healthy lifestyle, has declared that MBKU be a "Smoke Free" campus in its entirety; this includes all buildings and grounds. Smoking is prohibited in all University buildings and vehicles. This policy specifically extends to electronic cigarettes ("e-cigarettes") or any other personal vaporizing devices. Smoking must be confined to designated outdoor areas. Of course, smoking is prohibited in all areas where hazardous and flammable materials are present.

SOCIAL MEDIA POLICY

Introduction

Social media has become increasingly important to how Marshall B. Ketchum University communicates with its students, alumni, friends, donors, patients, and other campus community members. Social media gives MBKU a unique opportunity to engage constituencies. By taking advantage of popular social media sites, MBKU can support the University's mission, represent its values, and help carry out the goals and strategies of both MBKU and Ketchum Health.

Employees and representatives are expected to adhere to the same standards of conduct online as they would in the workplace. Laws, policies, and guidelines for interacting with students, parents, alumni, donors, media, and all other University constituents apply to online interactions and in a social media context just as they do in personal interactions. Employees are fully responsible for what they post to social media sites.

Administrators and users of official MBKU social media accounts and sites may at any time contact The Office of Marketing & Communications for guidance and consultation.

Guidelines

The following applies to the use of MBKU resources used for social media on social networking sites that include, but are not limited to, Facebook, Instagram, YouTube, Vimeo, Twitter, LinkedIn, Snapchat, websites, and blogs. The same principles and guidelines found in other University policies apply to employees activities online. Ultimately, an employee is solely responsible for what he or she posts online. Before creating online content, an employee should consider some of the risks and rewards that are involved. Keep in mind that any employee conduct that adversely affects his or her job performance, the performance of fellow employees or otherwise adversely affects students, patients, suppliers, people who work on behalf of MBKU or MBKU's legitimate business interests may result in disciplinary action up to and including termination. While we attempt to provide reasonable guidelines, as new opportunities and challenges emerge, these guidelines will evolve.

Official Sites

This policy addresses social media accounts created for the official business purposes of the University. Employees who would like their social media account to be recognized and endorsed by the University for official business purposes should contact the Office of Marketing & Communications for review to ensure the University's branding and message standards are upheld. All officially recognized social media accounts will be publicly listed by the University on MBKU's website.

Exemptions

Employees acting in an individual capacity should exercise caution to communicate clearly that they are not acting in a representative capacity or expressing the views of the University. Employees are not allowed to create social media sites that claim, imply, or pretend to be official representative sites of the University unless authorized to administer a site. Employees should contact the Office of Marketing & Communications to set up an official MBKU affiliated social media site.

Employees should be aware of their MBKU association in online social networks. If an employee identifies him/herself as an employee of MBKU or his/her MBKU association is known to the public, they should ensure their profile and related content (even if it is of a personal and not an official nature) is consistent with how they wish to present themselves as a MBKU professional and conforms to ethical standards or codes of conduct.

Guidelines for Content

As with all University communications, the message being conveyed needs to be consistent, accurate and professional. MBKU's social media accounts should promote interaction and conversation with and between their followers. Employees should ensure that they have all the facts before they post. It is better to verify information than to post something erroneous and have to post a correction or retraction later. Whenever possible, employees should cite and provide links to their sources. Employees are fully responsible for what they post to social media sites, so if they are unsure, they should contact the Office of Marketing & Communications at marketing@ketchum.edu.

Know the Rules

Comply with FERPA, HIPAA and MBKU policies including the Policy on Ethical Practices, the Electronics Communication Policy, Harassment Prevention Policy as well as all other applicable policies. Review and comply with all communications standards found in the MBKU Brand Guidelines and Style Guide. Become familiar with the terms of service and policies of sites and networks in which you participate. Pay attention to updates.

Deleting Content

The University may occasionally review content posted to official MBKU social media sites and may remove or cause the removal of any content for any lawful reason.

MBKU affirms and encourages community and respect for differences by fostering an inclusive environment characterized by cultural understanding, ethical behavior and social justice. Social media users sometimes do not share those values and post inappropriate comments on MBKU accounts. MBKU's social media account owners reserve the right to delete off-topic, harmful, threatening, abusive, vulgar, obscene, defamatory, hateful or harassing material.

Some things to consider when handling negative feedback:

- Priority: Protect our students. Personal attacks on our students should be deleted.
- Can you answer their question or comment with a simple, accurate response? If so, do it.
- Do not engage in lengthy back-and-forth exchanges with critics.
- Keep it friendly and professional. Emotional responses are not appropriate.

Be Respectful

Employees at MBKU should always be fair and courteous to fellow employees, patients, students, suppliers, and people who work on behalf of MBKU. Employees should also keep in mind that they are more likely to resolve work-related complaints by speaking directly with their co-workers or supervisors or by contacting the VP of Human Resources than by posting complaints to a social media outlet. Nevertheless, if an employee decides to post complaints or criticism, he or she should avoid using statements, photographs, video, or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparages or could potentially disparage MBKU employees, students, patients, or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment based on race, sex, disability, religion or any other status protected by law or University policy.

Be Honest and Accurate

Employees should make sure they are always honest and accurate when posting information or news, and if they make a mistake, they should correct it quickly. Employees should also be open about any previous posts they have altered. One must remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that one knows to be false about the University, fellow employees, students, patients, suppliers, and people working on behalf of the University or competitors.

Post Only Appropriate and Respectful Content

1. Maintain the confidentiality of the University's trade secrets, private and confidential information. Trade secrets may include information regarding the development of systems, processes, products, know-how and technology. No employee should post internal reports, policies, procedures, or other internal business-related confidential communication without the consent of the President of the University.
2. Do not create a link from one's own blog, website, or other social networking site to a MBKU website without identifying oneself as a MBKU employee.

3. Express only one's personal opinions. Never represent oneself as a spokesperson for MBKU (unless designated as such by the President). If the University is a subject of the content one is creating, one must be clear and open about the fact that he or she is an employee and should make it clear that his or her views do not represent those of the University, fellow employees, students, patients, suppliers or people working on behalf of the University. If an employee does publish a blog or post online related to the work he or she does or subjects associated with MBKU, he or she should make it clear that he or she is not speaking on behalf of the University. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of MBKU."

Industry or Product Promotions

Content that promotes an industry or product must fall under the guidelines outlined in a corporate contract, and/or be approved by PEC and/or the Associate Dean of Clinics. Industry or product content that is added to MBKU's social media channels by an outside user will be removed if no corporate contract is in place.

Using Social Media at Work

Employee work time, as well as University computers and other electronic equipment, are to be used for University-related business. It is appropriate to post, like, comment and share on social media at work if your comments, posts, likes, comments, and shares are related to University-related activities or take place on officially recognized accounts. Use of social media tools should never interfere with your primary duties, except for where it is a primary duty to use these tools to do your job.

Retaliation is Prohibited

MBKU prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

Failure to abide by this policy statement as it relates to their position on campus will result in the disciplinary action up to and including termination.

SOLICITATION AND GRATUITIES

Soliciting Gifts and Sponsorships on Behalf of the University: Administrators or Faculty desirous of soliciting gifts and grants from individuals, foundations and corporations for University purposes must receive prior approval from the Vice President for University Advancement. The exception to this policy is research grants that have been coordinated and approved by the Associate Dean for Research. It is not appropriate for University staff, administration, students, or faculty to solicit or receive personal gifts or favors from corporations or individuals involved with the University.

Acknowledgement of Gifts and Grants: All gifts and grants received should be acknowledged and notification should be forwarded to the Vice President for University Advancement.

Acceptance of Gifts and Gratuities

To maintain a high standard of integrity, employees are not permitted to personally accept and retain gratuities or gifts received from any outside source, especially when they are designed to influence future decisions. In circumstances where the acceptance of the gift cannot be avoided, there are two courses of action that should be followed. If the gift is of significant value, it should be turned over to the VP for Human Resources who will insure that the gift is properly acknowledged on behalf of the University. Donated gifts will generally be used as door prizes at one of the University's functions. If the gift represents a token "thank you" gift for past business, it can be shared with others in the office or clinic.

SOLICITATION AND DISTRIBUTION OF LITERATURE

The University recognizes the importance of worthwhile organizations soliciting support for their causes. At the same time, it also recognizes the need to restrict any activity that could interfere with the efficient operation of the University's business and/or result in an annoyance to employees and/or students. To this end, the following rules have been established.

No employee shall solicit or promote support for any cause or organization during his or her working time or during the working or class time of the employees and/or students for whom such activity is directed.

No employee shall distribute or circulate any written or printed material including e-mail messages in the workplace, which promotes or supports personal affiliations or causes. Exceptions apply to University approved events (i.e., United Way Campaign and Red Cross Blood Drives).

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

A page of the University Portal has been established to make announcements, place ads, and solicit support for charitable causes and the like. Employees will also be allowed to place sign-up information or items for sale, which support non-profit organizations or causes, in employee lounges. Approval from the VP for Human Resources will need to be obtained in both cases.

Any employee who is in doubt concerning the application of these rules or wishes to request an exemption under this policy should consult with the VP for Human Resources immediately.

USE OF UNIVERSITY FACILITIES FOR EXTRA CURRICULAR ACTIVITIES

Organizations or individuals wishing to hold events on campus should refer to the Policies and Procedures for Use/Rental of Campus Facilities by Employees located in the Enrollment and Student Services Department.

VIOLENCE IN THE WORKPLACE

The University has a zero-tolerance policy for violent acts or threats of violence against our employees, applicants, customers, or vendors.

We do not allow fighting or threatening words or conduct. Weapons of any kind are strictly prohibited and not permitted on University premises, including parking areas.

No employee may commit or threaten to commit any violent act against a co-worker or third party. This includes discussions of the use of dangerous weapons, such as bombs, guns, or knives, even in a joking manner.

Employees who are subjected to or threatened with violence in the workplace or are aware of another individual who has been subjected to or threatened with violence, are to report this information to their supervisor, the Director of Campus Safety and Security, or the VP for Human Resources as soon as possible.

All threats should be taken seriously. Please bring all threats to our attention so that we can deal with them appropriately. All threats will be thoroughly investigated, and all complaints which are reported to management will be treated with as much confidentiality as possible.

VISITOR POLICY

All campus visitors (except for patients) or contracted workers will be required to wear a visitor's badge while on the campus. Badges will be issued by the Security Office. It is the employee's responsibility to make sure that visitors are aware of this policy and where they can pick up their visitor's badge.

WEAPONS

The MBKU policy prohibits the possession, use, or storage of weapons on the University campus or any University-Owned and Operated facilities. However, effective March 21, 2016, MBKU Safety Officers have been allowed to carry firearms on MBKU campuses to increase our ability to respond to unsafe situations caused by potential threats of violence. No other exception regarding firearm licensure will be allowed. Weapons covered by this policy include, but are not limited to firearms, firearm ammunition, air pistols, air rifles, fireworks, incendiary devices, lock blade or fixed blade knives with a blade length of four inches or greater, blackjacks, metal knuckles, or any other such offensive weapons of any description. An employee may possess self-defense spray but may not use it for purposes other than self-defense.

This policy applies to employees, students, and the public at large. Violation of this policy may be punishable by disciplinary action, up to and including immediate dismissal or expulsion from the University.

WHISTLEBLOWER PROTECTION POLICY

MBKU prides itself on its adherence to Federal, State, local laws and/or regulations, including business ethics policies. As such, MBKU has adopted a Whistleblower Protection Policy. Pursuant to this Policy, any employee who becomes aware of any violation of Federal, State, or local law or regulation, including suspected financial

wrongdoing, should immediately report the violation to the President of the University to allow the University to investigate and, if applicable, correct the situation or condition. The University will not retaliate or permit any form of retaliation against any individual who reports in accordance with this Whistleblower Protection Policy, even if the concerns of the employee are mistaken or are determined to be unfounded.

If employees observe possible unethical or illegal conduct, including suspected financial wrongdoing or violation of MBKU policy (including acts of retaliation) they are encouraged to report their concerns, without regard to the identity or position of the suspected offender. All submissions under this Policy may be made anonymously, but employees are encouraged to include contact information. Concerns should be submitted in writing, either via email or hard copy in a sealed envelope labeled, "Contents regarding Whistleblower Policy" and submitted to the President of MBKU.

If the President is involved or is believed to be involved in the matter being reported, employees may, in the alternative, make a report to the VP for Human Resources or the Chair of the Board of Trustees.

The institution will treat all communications under this Policy in a confidential manner, except to the extent necessary to conduct a complete and fair investigation.

Financial wrongdoing may include, but is not limited to:

- Questionable accounting practices
- Fraud or deliberate error in financial statements or recordkeeping
- Deficiencies of internal accounting controls
- Misrepresentations to University officers or the accounting department

If any employee reports in good faith what the employee believes to be a violation of the law and/or financial wrongdoing in accordance with this Whistleblower Policy or assists in an investigation related to the Whistleblower Policy, it is the MBKU's policy that there will be no retaliation taken against the employee.

For purposes of this policy, "retaliation" means discharging, demoting, suspending, threatening, harassing, or in any other manner discriminating against an employee in the terms and conditions of his or her employment. Employees are reminded that the "Accounting Policies & Procedures Manual" may be found on the Portal.

WORKPLACE SURVEILLANCE AND SEARCHES

The University uses reasonable surveillance and search measures that ensure a proper work environment. Although lockers, cabinets and desks are made available for the convenience of employees while at work, employees should remember that these remain the sole property of the University. Moreover, the University reserves the right to open, inspect and search all work areas, desks, file cabinets, lockers, containers leaving University premises, and personal vehicles on the University premises. Such an inspection can occur at any

time, with or without advance notice or consent. Such an inspection may be conducted during, before or after working hours by any supervisor, manager or security personnel designated by the University.

Prohibited materials, including, but not limited to, weapons, explosives, alcohol and non-prescribed drugs or medications, may not be placed in any storage area including lockers or desks. Employees who, if requested, fail to cooperate in any inspection will be subject to disciplinary action, up to and including suspension or discharge. The University is not responsible for any articles that are placed or left in a locker, cabinet or desk that are lost, damaged, stolen or destroyed. Prior authorization must be obtained before any University property may be removed from the premises.

EVALUATION FOR INJURY PREVENTION

As part of the University's Injury and Illness Prevention Program, employees experiencing any form of discomfort while working at their workstations and/or video display terminals (VDT's) are encouraged to contact the HR Department to request a workstation evaluation. The employee may be asked to complete a questionnaire to help determine the origin of the discomfort. Following the completion of this form, a workstation evaluation and/or eye examination will be conducted by a qualified faculty member. If it is found that the design of the workstation is contributing to or aggravating the discomfort, steps will be recommended to correct the problem.

SECTION H - CHANGES IN STATUS

CONTINUATION OF GROUP COVERAGE (COBRA)

The federal Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) makes it possible for employees and their dependents to continue medical and dental insurance coverage along with flexible spending accounts for a period of time when loss of group eligibility occurs because of layoff, termination of employment, a reduction of hours, a leave of absence extending beyond twelve (12) weeks, death of the employee, or divorce; or when a dependent child reaches the age limit for family coverage. An employee who elects to continue medical and/or dental insurance under COBRA is required to pay 102% of the cost of this coverage. Information is available in the HR Department.

EXIT INTERVIEWS AND RETURN OF PROPERTY

Any employee leaving the University may be requested to attend an exit interview conducted by a member of the HR Department. This interview allows employees an opportunity to communicate their views on their work with the University and the job requirements, operations, and training needs. It also provides the employee with an opportunity to discuss issues concerning benefits and insurance. At the exit interview, employees are expected to return all University-furnished uniforms, University clinic jackets, tools and equipment, access cards, keys, copy cards, parking decals, manuals, caps and gowns, University furnished credit cards, emergency response team equipment, library books and journals, etc. At this time, arrangements are to be made for clearing any outstanding debts and for determining the disposition of how flexible spending accounts should be resolved. Final pay will be distributed as well.

FINAL PAYCHECK

Employees will receive their final paycheck within the time required by law. Those who provide at least 72 hours advance notice or who are terminated involuntarily will receive their final paycheck on the last day worked.

FLEXIBLE SPENDING ACCOUNTS

Flexible Spending Accounts are covered under COBRA provisions. Employees may wish to explore their rights and obligations under this plan with the Senior Human Resources Generalist as soon as it becomes apparent that they will be leaving the University.

NOTICE OF INTENT TO LEAVE EMPLOYMENT

Although employees may resign at-will, at any time, with or without advanced notice, we ask that at least a two-week's written notice is provided. If the two-week notice period occurs at the end of the calendar year and a major portion thereof falls within the paid holiday recess, the employee will only be paid through the last day worked. Not providing a two-week notice could impact the eligibility for rehire.

SEPARATION FROM EMPLOYMENT

The relationship between the employee and the University is for an unspecified term and considered employment at-will. No one other than the President of the University has the right or the authority to enter into any written or verbal agreement for different terms of employment. Consequently, the employment relationship with any employee can be terminated at will, either by the employee or the employer, with or without cause or advance notice. The termination date is the last day an employee works. No benefits are earned beyond this date.

SEVERANCE PAY

The University does not maintain a formal severance pay policy and should therefore not be expected. The University reserves the right to make exceptions to this policy in its sole and absolute discretion when it determines that an exception is warranted.

HANDBOOK ACKNOWLEDGEMENT

This is to acknowledge that I have been provided access to an electronic version of the Marshall B. Ketchum University (MBKU) Employee Handbook. I understand that it sets forth the terms and conditions of my employment as well as the duties, responsibilities, and obligations of my employment with MBKU. I understand and agree that it is my responsibility to read, understand and adhere to the provisions (rules, policies, and standards) contained in the handbook. I also understand that updates will be made available via the portal and the version on the portal is considered the most current.

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

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

I acknowledge that I have received a copy of the University's written policy against unlawful harassment and understand that the University will not tolerate unlawful harassment by any employee. I recognize that the only way an employer can achieve its goal of providing a discrimination-free and harassment-free work environment is with the assistance of its employees. The University and its employees must therefore be partners in the commitment to provide a work environment that is free of unlawful discrimination and harassment.

I agree to comply with all aspects of the policy against unlawful harassment and promise that I will not violate the law or the University's policy. I also promise to fulfill all my responsibilities under the policy including the responsibility to report any unlawful harassment immediately to the Human Resources Department and/or a Supervisor in accordance with the procedures of the policy. In this way, I will do all that I can to assist the University to provide and maintain a workplace that is free of unlawful discrimination and harassment.

In the event I am dissatisfied or disagree with any action taken by the University, I agree to submit the matter through the Problem Resolution process.

I am aware that during the course of my employment, confidential information may be made available to me, including but not limited to: confidential employee, student and patient protected health information (PHI) or personally identifiable information (PII), confidential financial insurance and statistical information, accounting and office procedures, proprietary computer programs, training and research and other copyrighted materials, proprietary University databases, and other related information to the operation of the University. I understand and agree that this information is critical to the success of MBKU and must not be given out or used outside of the University premises or with non-employees. In the event of termination of employment, whether voluntary or involuntary, I hereby agree not to disclose, utilize, sell, and offer to sell, lend, borrow, or exploit this information for any purpose.

If I have questions regarding the content or interpretation of the Handbook, I will bring them to the attention of my Supervisor, Vice President, Dean, or Human Resources, as appropriate.

Date

Print Name

Signature



**Marshall B.
KETCHUM UNIVERSITY**

