



## FIRST 5 ALAMEDA COUNTY EXECUTIVE COMMITTEE MEETING AGENDA

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**Tuesday, October 6, 2020**

**Members of the public may access this meeting via:**

**Zoom Meeting: <https://zoom.us/j/92780390714>**

**Meeting ID: 927 8039 0714**

**9:00 AM – 10:30 AM**

**Commissioners:**

*Chair: Renee Herzfeld, Vice Chair: Cecilia Echeverría, Scott Coffin*

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- 1. Public Comment**
- 2. Staff Announcements**
  - a. General Staff Announcements**
  - b. Children’s Health and Child Care Initiative for Alameda County Update**
  - c. COVID-19 Response Update**
- 3. Approval of Minutes from June 11, 2020**
- 4. 2021 Executive Committee Calendar Draft**
- 5. FY 2019-20 Financial Audit Update**
- 6. Employee Handbook Revisions**
- 7. Adjournment**

**Information about access:**

Please contact Julia Otani at [julia.otani@first5alameda.org](mailto:julia.otani@first5alameda.org) or (510) 227- 6987 3 business days in advance if you need special assistance or translation/interpretation support so we can make reasonable arrangements to ensure accessibility. We will swiftly resolve any requests for accommodation to resolve any doubt whatsoever in favor of accessibility.



MEMORANDUM

**TO:** Members, Alameda County First 5 Commission

**FROM:** James C. Harrison and Ben Gevercer

**DATE:** September 13, 2020

**RE:** Update on Measure C Case

Recently, the Alameda County Taxpayers Association and several individual petitioners dismissed their reverse validation action challenging Measure C because they failed to comply with the statutory deadlines for notice.

To ensure that any challenges to the validity of Measure C are promptly resolved, Alameda County filed its own validation action on August 4, 2020. Before that, on August 3, 2020, the same Petitioners from the earlier reverse validation lawsuit refiled their lawsuit. These actions will likely be consolidated for hearing.

Nearly all the Petitioners' claims in the dismissed lawsuit are included in the new lawsuit, but they've added a couple of additional claims for invalidation. For one, the Petitioners added a claim that Measure C violates the Revenue and Tax Code's provision for local sales taxes. (The provision upon which they rely specifically requires a two-thirds vote when the *board of supervisors* places a special tax on the ballot. Cal. Rev. & Tax. Code § 7285.5(a).)

Petitioners also added a claim that Measure C should be invalidated because the language imposes the tax for more than twenty years but the Measure C ballot label/question described it as a "20 year half-percent sales tax" and the Measure C "Purpose and Intent" section described it as a "20-year transactions and use tax." This claim arises from the fact that the operative date of the tax is a date uncertain, because it is tied to the execution of a contract with the state for the collection of the tax (the first day of the calendar quarter after execution of the contract with the state and at least 110 days after the adoption of the ordinance). The clear intent is that the tax should be collected for 20 years, and given the Board's decision to refrain from collecting the tax until there is a final appellate decision in this case, the tax will in fact be collected for *less* than 20 years.

Next, the Petitioners must publish a notice of summons, which will allow other interested parties to join this case.

**Long Beach**  
555 E. Ocean Blvd, Ste. 420  
Long Beach, CA 90802

**Sacramento**  
555 Capitol Mall, Ste. 400  
Sacramento, CA 95814

**Oakland**  
1901 Harrison St., Ste. 1550  
Oakland, CA 94612

Additionally, the California Supreme Court denied a petition to review the recently published First District Court of Appeal decision, *City and County of San Francisco v. All Persons Interested in Matter of Proposition C*, 51 Cal. App. 5th 703 (2020). In that case, the court held that the two-thirds vote requirement for local special taxes, enacted by Propositions 13 and 218, do not apply to voter initiatives. By declining to review this case, the California Supreme Court essentially affirmed that San Francisco's Proposition C, Business Tax for Homeless Services, was validly enacted with a simple majority. This decision is binding precedent on trial courts, including in the pending Alameda County Measure C case, and will be persuasive authority, but not binding, in other appellate courts that are considering the same issue, including in the Oakland Measure AA case and in the Fresno Measure P case, both of which are currently pending in appellate courts. However, these other cases once decided will also likely be appealed to the California Supreme Court, which could then decide to review the question.

Please let us know if you have any further questions.

JCH:NL



FY 2019-20 and FY 2019-21 Contracts List  
 CEO Contract Authorizations and Amendments (Less than or equal to \$250,000 per contract/action - see light blue columns)

Original Award, approved by Commission (June 18, 2020)							New Contracts or Augmentations, approved by CEO (6/19-10/15/20)			
Strategy	Award Number	Contractor	Contract Start Date	Contract End Date	Original Description of Scope of Work	Original Amount	New, Amendment or Ancillary Amount	New Total Contract Amount	Funding to support COVID-19 activities	Description of New Contract or Added Scope of Work
Admin, Info & Technology	CS-AIT-2021-428	The Real HR Ninja Consulting, LLC	7/20/2020	1/15/2021	New Award	\$ -	\$ 57,600.00	\$ 57,600.00	No	Funding to provide Human Resources consultation.
Communications	CS-CMC-2021-456	Full Court Press Communications	9/1/2020	4/30/2021	New Award	\$ -	\$ 50,000.00	\$ 50,000.00	Yes	Funding to develop communications strategies and materials to amplify the work of First 5's Community Resilience Fund, related activities and support the development of our annual report.
COVID-19 Community Resilience Fund	CS-CRF-2021-454	Resources for Community Development	9/15/2020	6/30/2021	New Award	\$ -	\$ 50,000.00	\$ 50,000.00	Yes	BOS Award, District 4-Supervisor Miley; Funding to purchase and distribute essential supplies as part of First 5 Alameda County's COVID-19 relief efforts.
COVID-19 Community Resilience Fund	CS-CRF-2021-455	CAPE, Inc.	9/15/2020	6/30/2021	New Award	\$ -	\$ 50,000.00	\$ 50,000.00	Yes	BOS Award, District 1-Supervisor Haggerty; Funding to purchase and distribute essential supplies as part of First 5 Alameda County's COVID-19 relief efforts.
COVID-19 Community Resilience Fund	CS-CRF-2021-429	Eden United Church of Christ	8/1/2020	6/30/2021	New Award	\$ -	\$ 50,000.00	\$ 50,000.00	Yes	BOS Grant Funding, District 4-Supervisor Miley; Funding to purchase and distribute essential supplies as part of First 5 Alameda County's COVID-19 relief efforts.
COVID-19 Community Resilience Fund	CS-CRF-2021-424	Pleasanton Unified School District	8/1/2020	6/30/2021	New Award	\$ -	\$ 53,314.00	\$ 53,314.00	Yes	Funding to provide services and supplies in support of kindergarten transition programming will be available to parents and schools who find themselves particularly vulnerable due to COVID-19.
COVID-19 Community Resilience Fund	CS-CRF-2021-430	San Lorenzo Unified School District	8/1/2020	6/30/2021	New Award	\$ -	\$ 182,513.00	\$ 182,513.00	Yes	Funding to provide services and supplies in support of kindergarten transition programming will be available to parents and schools who find themselves particularly vulnerable due to COVID-19.
COVID-19 Community Resilience Fund	CS-CRF-2021-431	San Leandro Unified School District	8/1/2020	6/30/2021	New Award	\$ -	\$ 176,377.00	\$ 176,377.00	Yes	Funding to provide services and supplies in support of kindergarten transition programming will be available to parents and schools who find themselves particularly vulnerable due to COVID-19.
COVID-19 Community Resilience Fund	CS-CRF-2021-432	Livermore Valley Joint Unified School District	8/1/2020	6/30/2021	New Award	\$ -	\$ 72,889.00	\$ 72,889.00	Yes	Funding to provide services and supplies in support of kindergarten transition programming will be available to parents and schools who find themselves particularly vulnerable due to COVID-19.
COVID-19 Community Resilience Fund	CS-CRF-2021-433	Fremont Unified School District	8/1/2020	6/30/2021	New Award	\$ -	\$ 73,151.00	\$ 73,151.00	Yes	Funding to provide services and supplies in support of kindergarten transition programming will be available to parents and schools who find themselves particularly vulnerable due to COVID-19.
COVID-19 Community Resilience Fund	CS-CRF-2021-434	Castro Valley Unified School District	9/1/2020	6/30/2021	New Award	\$ -	\$ 60,066.00	\$ 60,066.00	Yes	Funding to provide services and supplies in support of kindergarten transition programming will be available to parents and schools who find themselves particularly vulnerable due to COVID-19.
COVID-19 Community Resilience Fund	CS-CRF-2021-438	Emery Unified School District	9/1/2020	6/30/2021	New Award	\$ -	\$ 107,603.00	\$ 107,603.00	Yes	Funding to provide services and supplies in support of kindergarten transition programming will be available to parents and schools who find themselves particularly vulnerable due to COVID-19.

## Original Award, approved by Commission (June 18, 2020)

## New Contracts or Augmentations, approved by CEO (6/19-10/15/20)

Strategy	Award Number	Contractor	Contract Start Date	Contract End Date	Original Description of Scope of Work	Original Amount	New, Amendment or Ancillary Amount	New Total Contract Amount	Funding to support COVID-19 activities	Description of New Contract or Added Scope of Work
COVID-19 Community Resilience Fund	CS-CRF-2021-445	Berkeley Unified School District	9/1/2020	6/30/2021	New Award	\$ -	\$ 62,185.00	\$ 62,185.00	Yes	Funding to provide services and supplies in support of kindergarten transition programming will be available to parents and schools who find themselves particularly vulnerable due to COVID-19.
Early ID	PI-EID-2021-439	UCSF Benioff Children's Hospital Oakland	7/1/2020	6/30/2021	New Award	\$ -	\$ 146,000.00	\$ 146,000.00	No	Funding to implement ACES Aware grant activities with a focus on providing training and support to pediatric providers to implement screening for ACEs/SDOH using the PEARLS tool.
Early ID	PI-EID-2021-442	Lucile Packard Children's Hospital Stanford	7/1/2020	6/30/2021	New Award	\$ -	\$ 75,000.00	\$ 75,000.00	No	Funding to provide outreach, support and consultation to the Alameda and Contra Costa pediatric sites participating in ACES Aware grant activities; convene a quarterly peer-to-peer learning community.
Parent Engagement/Support	PI-PES-1921-320	Alameda Health System (Highland Hospital)	11/1/2019	6/30/2021	Funding to continue implementation of the Project DULCE model at Highland Hospital Pediatric Department.	\$ 152,850.00	\$ 28,410.00	\$ 181,260.00	No	Funding to support the Clinic Champion's (Dr. Singer) activities including management, evaluation, sustainability planning of DULCE support, and implementation and reporting.
Quality Early Childhood Education	PI-ECE-2021-416	Early Quality Systems	7/1/2020	6/30/2021	New Award	\$ -	\$ 119,494.00	\$ 119,494.00	No	Funding to host a secure and fully managed iteration of the iPinwheel database system for Alameda County Quality Counts to manage the local QRIS program.
Quality Early Childhood Education	CS-TRN-2021-450	Community Financial Resources	10/1/2020	6/30/2021			\$ 15,000.00	\$ 15,000.00	No	Funding to provide financial wellness training and facilitation to Roots staff as well as participants involved in the Roots Resiliency Cohort, consisting of East Oakland families with children ages 0-5. Topics will include socioeconomics, class and the intersectionality with race.
Quality Early Childhood Education	CS-TRN-2021-451	Chantal Dubuisson-Myllmaki	10/1/2020	6/30/2021			\$ 10,000.00	\$ 10,000.00	No	Funding to provide training and consultation on topics related to parenting/caregiving of young children, including but not limited to Positive Discipline, Social Emotional Development, Cultural Considerations in Parenting Practices.
Quality Early Childhood Education	CS-TRN-2021-452	Debora Roca	10/1/2020	6/30/2021			\$ 10,000.00	\$ 10,000.00	No	Funding to provide training and consultation in Spanish on topics related to parenting/caregiving of young children, including but not limited to Positive Discipline, Social Emotional Development, Cultural Considerations in Parenting Practices.
Quality Early Childhood Education	CS-TRN-2021-426	Tandem, Partners in Early Learning	9/1/2020	6/30/2021			\$ 15,000.00	\$ 15,000.00	No	Funding to provide training to Early Childhood Providers, Parents, Resource Parents, and Caregivers working with young children birth to 5 years of age on topics related to child development, literacy, math, and kindergarten readiness skills.
Quality Early Childhood Education	TBD	Alameda County General Services Agency	7/1/2020	6/30/2021	Funding to coordinate stakeholder participation in Quality Counts Advisory groups; serve on the Quality Counts Leadership Team to provide support alignment; support ECE professionals' use of the Workforce Registry; and support Title V sites with Quality Counts participation, COVID 19 and fiscal management.	\$ 143,000.00	\$ 98,000.00	\$ 241,000.00	No	Funding to provide individual Professional Development Stipends to approximately 500 ECE providers for the completion of 21 hours of PD.
Quality Early Childhood Education	TBD	California School Age Consortium	9/1/2020	6/30/2021	New Award	\$ -	\$ 98,000.00	\$ 98,000.00	No	Funding to provide technical assistance and training to CSPP agencies to maximize revenue and support site quality, to sustain the Alameda County ECE Pilot (retain state child care contract funds in County rather than return to the state) and to support regulation and policy interpretation in collaboration with the Local Planning Council. Also coordinate a virtual Pilot Leadership Development Professional Learning Community (PLC) for 12-14 CSPP site directors.
							\$ 968,909.00			CEO Authorizations 6/19/20 - 10/15/20



# Investment for Impact: Community Resilience Fund

## COVID-19, Racism, and Economic Crisis Threaten Health and Well-Being of Families



Community organizations in Alameda County and across the Bay Area region are struggling to keep pace with the needs of children and families

amid the simultaneous health and economic crises created by COVID-19. At the same time, society is in the midst of a reckoning around race and the harmful effects of institutional, structural racism that have resulted in societal barriers to wealth and resources for African American/Black families and other communities of color over many generations.

With families navigating historic levels of job loss, child care and school closures, health care challenges, and food and housing insecurity, the pandemic has only exacerbated persistent health and economic inequities.

Together, these societal, economic, and health conditions pose a particular threat to the health and wellbeing of children, especially children of color, with long-term implications for health, development, and well-being of children, families, and communities.

## Commitment to Social Justice

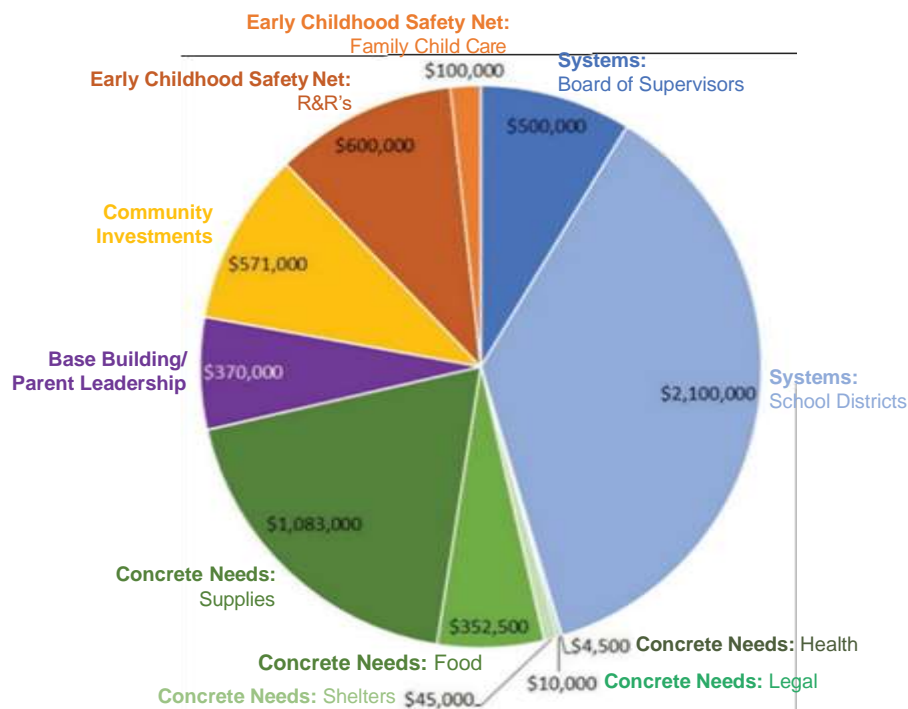
### Equity Framework

The Resilience Fund grants priority to African American/Black, South East Asian/Asian Pacific Islander, Latinx, Native American, immigrants, and undocumented families and those experiencing poverty. Due to structural race and class bigotries these populations are disproportionately impacted by the COVID-19 crisis and allocated resources must be used to mitigate the resulting inequities.

“The need for investment in our collective future has never been greater.”

*Kristin Spanos, Chief Executive Officer*

### First 5 Resilience Fund Investments

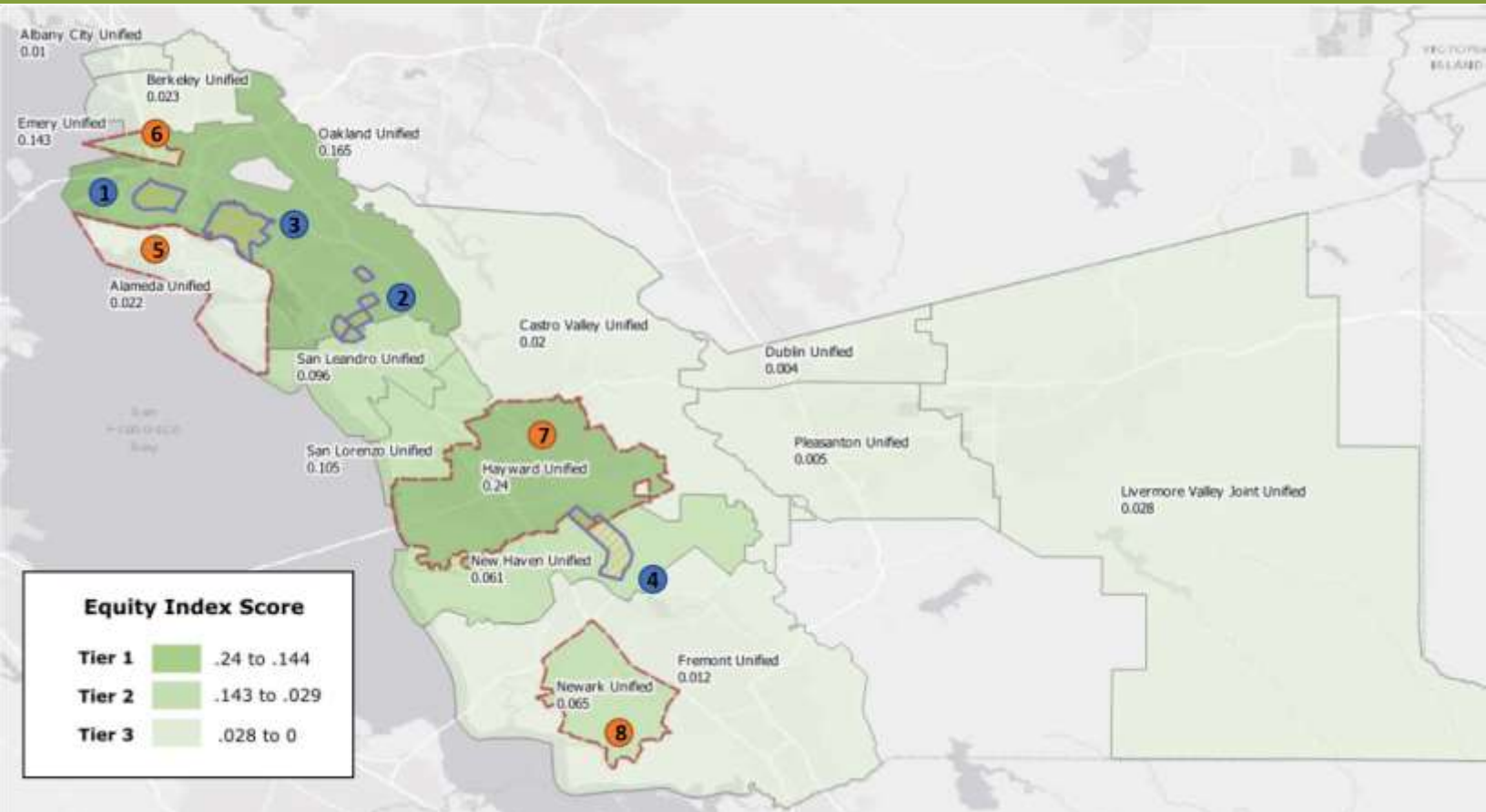


## Goals of the Community Resilience Fund

First 5 Alameda County [launched a Community Resilience Fund in April totaling more than \\$5.5 million](#) to help children, families, and child care providers cope with the heightened challenges of the pandemic. The agency reviewed all current contracts, repurposed deliverables, engaged in targeted partnerships with philanthropy, and identified savings to be added to funding the First 5 Commission appropriated out of reserves to support the pandemic response. The goals of the fund are to:

1. Address the needs of young children, their families, and the early childhood system that supports them.
2. Prioritize investment in communities positioned most vulnerably as a result of racist and classist private and public policies and practices.
3. Leverage First 5 evaluation data and existing investments by supporting key kindergarten readiness recommendations, as well as augmentations to our existing Neighborhoods Ready for School grantees now also operating as supply and distribution hubs.

# Equity-Informed Investments: COVID-19 Community Resilience Fund + Current Place-Based Investments



## Support for Kindergarten Readiness

In 2019, our flagship research study, the Alameda County Kindergarten Readiness Assessment (KRA), found that only **44% of students are fully ready**. Building off of this work and other place-based investments through our Neighborhoods Ready for School program and Early Learning Communities Network, the Community Resilience Fund is supporting children’s transition to kindergarten with grants to school districts, based on an equity index we developed.

**The equity index is a weighted composite of the following factors:**

- Percent of student body using free and reduced lunch
- Diversity of student body
- COVID-19 community transmission rates
- Kindergarten Readiness Assessment participation and 3rd grade academic achievement
- Number of kindergarten students and classrooms

\*A higher score (indicated by a darker color on the map) represents a district with a greater level of need.

### Resilience Fund Kindergarten Transition School District Grants (FY20-21)

**TIER 1 (\$1,254,000)**

Hayward Unified  
Oakland Unified\*

**TIER 2 (\$750,000)**

Emery Unified  
San Lorenzo Unified  
San Leandro Unified  
Newark Unified  
New Haven Unified

**TIER 3 (\$490,000)**

Livermore Valley Joint Unified  
Berkeley Unified  
Alameda Unified  
Castro Valley Unified  
Fremont Unified  
Albany Unified  
Pleasanton Unified  
Dublin Unified

**Basic Needs Stipends (\$60,000)**  
(not mapped)

Alameda County Office of  
Education

\*includes existing kindergarten transition grant

### Our Current Place-Based Investments

#### Neighborhoods Ready for School Grantees

(Total FY19-21 \$4,248,800)

- 1 Lincoln
- 2 Roots Community Health Center
- 3 San Antonio Family Resource Center
- 4 Union City Family Center

#### Early Learning Community Network Grantees

(Total FY19-21 \$990,000)

- 5 City of Alameda
- 6 YMCA of the East Bay / City of Emeryville
- 7 4C's of Alameda County
- 8 City of Newark



## Priority Investments

### Systems Partnerships

- Engagement with the **Alameda County Board of Supervisors** to support countywide systems change efforts. See our [Early Childhood Data Profiles](#) for each Supervisorial District for more information
- Investment in **school districts** to support kindergarten transition in a time of crisis for families and our educational partners

### Concrete Needs

- Purchase and distribution of concrete needs and essential supports for providers and families, working with Alameda County Community Food Bank and SupplyBank.Org
- Investment in family-serving shelters to improve access to essential supplies for unhoused families with young children, with support from Sunlight Giving

### Early Childhood Education

- Sustaining local infrastructure of backbone entities like the Resource and Referral Agencies to meet heightened demand during the current crisis
- Investment in local familychildcare providers in partnership with the Low Income Investment Fund and Silicon Valley Community Foundation, increasing access to financial technical assistance

### Community Investments

- Investment in community parent advocacy through increases to current contracts for our Neighborhoods Ready for School grants and Parent Voices Oakland
- Pivot of NRFS sites into distribution hubs and use of KRA study to inform support for kindergarten transitions and funding in areas with greatest need
- Targeted investments, in partnership with the California Wellness Foundation, for communities who are particularly vulnerable at this time
- Participation in a base building advocacy fund through the East Bay Community Foundation

## Essential Food and Supplies for Families and Providers

All Sites Requesting or Distributing COVID Relief Supplies



### Distribution Hubs

- Alameda County Office of Education Meal Service Sites\*
- Child Care Resource and Referral Agencies
- Neighborhoods Ready for School Sites

### One-Time Donation Sites

- Community-Based Organizations
- Faith-Based Organizations
- Health Care Agencies
- Domestic Violence Shelters

### Types of Supplies Requested

- Diapers
- Wipes
- Baby Formula
- Bar Soap
- Liquid Hand Soap
- Disinfectant Solution in Spray Bottles
- Laundry Detergent
- Bleach
- Feminine Hygiene Products
- Non-Medical Grade Face Mask
- Books
- Hand Sanitizer
- Dental Supplies
- N95 Masks
- Diaper Kits
- Dental Kits for Adults and Children
- Toothbrushes

\*Alameda County Office of Education sites represent potential partnerships

### First 5 Alameda County Commissioners

Renee Sutton Herzfeld, Chair  
Cecilia Oregón Echeverría, Vice Chair  
District 4 Supervisor Wilma Chan  
Scott Coffin

Lori Cox  
Tomás A. Magaña  
Karina Moreno  
Kimi Watkins-Tartt





**First 5 Alameda County Executive Committee Meeting**  
**June 11, 2020, 9:00 AM – 10:30 AM**  
**Zoom Webinar Meeting ID: 937 3401 6688**

**Commissioners Present:** Chair: Renee Herzfeld, Vice Chair: Cecilia Oregon Echeverría, Scott Coffin

**First 5 Staff Present:** Kristin Spanos, Charla Black-Edwards, Lyssa DeGolia, Christine Hom, Julia Otani, Mojgan Vijeh, Lea Yancey

AGENDA ITEM SPEAKER	DISCUSSION HIGHLIGHTS	ACTION	FOLLOW UP
<b>CALL TO ORDER</b>			
R. Herzfeld	The meeting was called to order by Chair Herzfeld who gavelled in at 9:03 AM.	None	None
<b>1. PUBLIC COMMENT</b>			
R. Herzfeld	There was no Public Comment.	None	None
<b>2. STAFF ANNOUNCEMENTS</b>			
K. Spanos	<p><a href="#">[Attachment]</a></p> <p>Ms. Spanos presented the General Staff Announcements, Children's Health and Child Care Initiative for Alameda County Update and COVID-19 Response Update.</p> <p><b>A. General Staff Announcements</b></p> <ul style="list-style-type: none"> <li>• First 5 Alameda County (F5AC) released a racial justice statement last week and will bring forward a resolution to the Commission next week. F5AC denounces the murder of George Floyd and police brutality in particular as it affects African American individuals. F5AC supports racial justice throughout the country as it impacts our communities, families and children and is essential to our work. We will be continuing equity work in the agency by holding informal spaces for staff to talk, engaging a consultant to support and guide us through this work and expanding training for staff and external partners.</li> <li>• Supervisor Carson will be providing opening remarks at this evening's F5AC Dadscussions webinar.</li> <li>• The County Administrator will be reading into record a "maintenance of effort budget" today at 12 noon.</li> <li>• The Assembly and Senate have come to a budget agreement.</li> </ul> <p><b>B. Children's Health and Child Care Initiative for Alameda County Update</b></p> <ul style="list-style-type: none"> <li>• The Howard Jarvis Taxpayer Group has filed an opposition to Measure C. The County was seeking outside legal representation to support legal action required.</li> </ul>	None	None

AGENDA ITEM SPEAKER	DISCUSSION HIGHLIGHTS	ACTION	FOLLOW UP
<b>2. STAFF ANNOUNCEMENTS (Continued)</b>			
K.Spanos	<p><b>C. COVID-19 Response Update</b></p> <ul style="list-style-type: none"> <li>F5AC staff continues to identify needs in the community through available data to use the funds appropriated by the Commission. We are leveraging funds provided to the Neighborhoods Ready for School grantees, using data from the school readiness assessment to determine how to support school districts, supporting the ECE field and Resource &amp; Referral agencies through financial technical assistance and identifying the most vulnerable parts of the community including funding shelters and basic needs.</li> <li>F5AC is also working with the Board of Supervisors to ensure countywide investment and we are leveraging their knowledge and expertise of investments that can happen in their districts.</li> <li>County map was shared to show distribution of COVID supplies to the community.</li> </ul>		
<b>3. APPROVAL OF MINUTES FROM APRIL 9, 2020</b>			
R. Herzfeld	<p><a href="#">[Attachment]</a></p> <p>Chair Herzfeld asked if there was any public comment before taking a vote to approve the minutes.</p> <p>Chair Herzfeld facilitated the vote to approve the April 9, 2020 Executive Committee Meeting minutes.</p>	<p>Motion: C. Echeverría</p> <p>Second: S. Coffin</p> <p>No Abstentions</p> <p>Motion passed.</p>	None
<b>4. FY 2020-22 BUDGET PROPOSAL - FINAL READING</b>			
C. Hom	<p><a href="#">[Attachment]</a></p> <p>Ms. Hom presented the FY 2020-22 Budget Proposal - Final Reading</p> <ul style="list-style-type: none"> <li>Changes to the budget since the first reading are highlighted in the memo in yellow.</li> <li>The changes to revenue in the categories of "Other First 5 Income", "Interagency Funding", "Grants" and "Other Income" are show on Attachment 4.1.</li> <li>New committed funding received since the first reading from Sunlight Giving \$35,000, Connecticut Children's Medical Center \$6,000, Alameda Alliance for Health \$165,000, Packard Foundation \$25,000, Fatherhood Summit funding from Alameda County departments \$194,999.</li> <li>Proposing to carry over \$618,000 in savings from the current year to be used for the COVID-19 Community Resilience Fund in FY 2020-21.</li> <li>Combination of changes increases budget for FY 2020-21 to \$25,709,664.</li> <li>The net of these changes also decreased the administrative cap which is now proposed to be 10.23% with program at 82.42% and evaluation costs at 7.35%.</li> <li>Requesting approval in principle of the second year of the FY 2020-22 budget to enable the agency to engage in two- year awards that span FY 2020-22.</li> </ul> <p>Chair Herzfeld asked if there was any public comment before taking a vote.</p> <p>Chair Herzfeld facilitated the vote to recommend the FY 2020-22 Budget Proposal - Final Reading be brought to the full Commission for final review and approval.</p>	<p>Motion: S. Coffin</p> <p>Second: C. Echeverría</p> <p>No Abstentions</p> <p>Motion passed.</p>	<p>The FY 2020-22 Budget Proposal will be brought to the full Commission for final review and approval.</p>

AGENDA ITEM SPEAKER	DISCUSSION HIGHLIGHTS	ACTION	FOLLOW UP
<b>5. FY 2020-29 LONG RANGE FINANCIAL PLAN - FINAL READING</b>			
C. Hom	<p><a href="#">[Attachment]</a></p> <p>Ms. Hom presented the FY 2020-29 Long Range Financial Plan - Final Reading</p> <ul style="list-style-type: none"> <li>• Changes to the Long Range Financial Plan are highlighted in the memo in yellow.</li> <li>• Additional revenue received and adjustments to grant/contract amounts are detailed on Attachment 5.1.</li> <li>• Grant funding is assumed to be time limited and then are included based on their expiration.</li> <li>• Additional revenue and carryover of unspent funding from FY 2019-20 increases total revenue for FY 2020-21 accordingly. If all expenses are incurred as outlined, the fund balance at the end of FY 2020-21 will be \$23.3M.</li> </ul> <p>Chair Herzfeld asked if there was any public comment before taking a vote.</p> <p>Chair Herzfeld facilitated the vote to recommend the FY 2020-29 Long Range Financial Plan - Final Reading be brought to the full Commission for final review and approval.</p>	<p>Motion: C. Echeverría Second: S. Coffin No Abstentions Motion passed.</p>	<p>The FY 2020-29 Long Range Financial Plan will be brought to the full Commission for final review and approval.</p>
<b>6. GASB 54 FUND BALANCE COMMITMENT</b>			
C. Hom	<p><a href="#">[Attachment]</a></p> <p>Ms. Hom presented the GASB 54 Fund Balance Commitment</p> <ul style="list-style-type: none"> <li>• GASB 54 requires the classification of the fund balance in to 5 possible areas: non-spendable, restricted, committed, assigned and unassigned.</li> <li>• F5AC is proposing \$14.5M be classified as "Non-Spendable" for FY 2020-21 to be used towards FY 2020-22 contracts, grants and prepaid expenses.</li> <li>• The remaining \$15.5M is proposed to be classified as "Assigned" for budget stabilization, consistent with the Long-Range Financial Plan.</li> </ul> <p>Chair Herzfeld asked if there was any public comment before taking a vote.</p> <p>Chair Herzfeld facilitated the vote to recommend the GASB 54 Fund Balance Commitment be brought to the full Commission for final review and approval.</p>	<p>Motion: C. Echeverría Second: S. Coffin No Abstentions Motion passed.</p>	<p>The GASB 54 Fund Balance Commitment will be brought to the full Commission for final review and approval.</p>
<b>7. FY 2020-21, FY 2020-22 CONTRACT AUTHORIZATIONS</b>			
C. Hom	<p><a href="#">[Attachment]</a></p> <p>Ms. Hom presented the FY 2020-21, FY 2020-22 Contract Authorizations.</p> <ul style="list-style-type: none"> <li>• 6 contracts require Executive Committee approval as they exceed \$250,000: YMCA of the East Bay, Oakland Unified School District, Hayward Unified School District, California School Aged Consortium, Bananas, Inc., 4Cs of Alameda County.</li> <li>• The budgeted contracts will begin on 7/1/20 or shortly thereafter.</li> </ul> <p>Chair Herzfeld asked if there was any public comment before taking a vote to approve.</p> <p>Chair Herzfeld facilitated the vote to approve the Oakland Unified School District and California School Aged Consortium awards that exceed \$250,000.</p>	<p>Oakland Unified School District and California School Aged Consortium awards Motion: C. Echeverría Second: S. Coffin No Abstentions Motion passed.</p>	<p>None</p>

AGENDA ITEM SPEAKER	DISCUSSION HIGHLIGHTS	ACTION	FOLLOW UP
<b>7. FY 2020-21, FY 2020-22 CONTRACT AUTHORIZATIONS (Continued)</b>			
C. Hom	<p>Vice Chair Echeverría asked if there was any public comment before taking a vote to approve.</p> <p>Vice Chair Echeverría facilitated the vote to approve the YMCA of the East Bay, Hayward Unified School District, Bananas, Inc. and 4 C's of Alameda County awards that exceed \$250,000.</p>	<p>YMCA of the East Bay, Hayward Unified School District, Bananas, Inc. and 4 C's of Alameda County awards</p> <p>Motion: C. Echeverría Second: S. Coffin Abstained: R. Herzfeld Motion passed.</p>	
<b>8. FY 2019-2020 JULY – MARCH INVESTMENT REPORT AND INVESTMENT POLICY REVISIONS</b>			
C. Hom	<p><a href="#">[Attachment]</a></p> <p>Ms. Hom presented FY 2019-2020 July-March Investment Report and Investment Policy Revisions.</p> <p><b>FY 2019-20 July-March Investment Report</b></p> <ul style="list-style-type: none"> <li>Total investment earnings for the period was \$476,660. Net of fees from the money manager, Chandler Asset Management and Union Bank as the account custodian was \$455,383.</li> <li>As of 3/31/20, the market value of the portfolio was \$29.5M and at cost \$28.7M, resulting in an unrealized gain of \$887,000.</li> <li>Yield and Benchmark comparisons show Chandler outperforming LAIF and the Alameda County Treasurer's Pool during the 9 month period.</li> </ul> <p><b>Investment Policy Revisions</b></p> <ul style="list-style-type: none"> <li>Staff review the policy on an annual basis and bring revisions to the Commission as needed and no less than every two years.</li> <li>The majority of changes were proposed by Chandler Asset Management based on best practices and Section VIII: Social and Environmental Concerns is new and requested by F5AC to be added to the policy.</li> </ul> <p>Chair Herzfeld asked if there was any public comment before taking a vote.</p> <p>Chair Herzfeld facilitated the vote to recommend the FY 2019-20 July - March Investment Report and Investment Policy Revisions be brought to the full Commission for review and approval.</p>	<p>Motion: C. Echeverría Second: S. Coffin No Abstentions Motion passed.</p>	<p>The FY 2019-2020 July-March Investment Report and Investment Policy Revisions will be brought to the full Commission for review and approval.</p>
<b>9. ACERA 401 (H) ACCOUNT AUTHORIZATION</b>			
M. Vijeh	<p><a href="#">[Attachment]</a></p> <p>Ms. Vijeh presented the ACERA 401 (h) Account Authorization.</p> <ul style="list-style-type: none"> <li>This resolution is brought annually to the Commission for approval.</li> <li>F5AC's contribution for FY 2020-21 is \$57,261.54 in an amount per pay period of \$2,202.37.</li> <li>Funds are included in the FY 2020-21 budget; there is no financial impact.</li> </ul> <p>Chair Herzfeld, please ask if there is any public comment before taking a vote.</p> <p>Chair Herzfeld facilitated the vote to recommend the ACERA 401(h) Account Authorization be brought to the full Commission for review and approval.</p>	<p>Motion: S. Coffin Second: C. Echeverría No Abstentions Motion passed.</p>	<p>The ACERA 401(h) Account Authorization will be brought to the full Commission for review and approval.</p>

AGENDA ITEM SPEAKER	DISCUSSION HIGHLIGHTS	ACTION	FOLLOW UP
<b>10. SALARY GUIDELINES REVISIONS</b>			
L. DeGolia	<p><a href="#">[Attachment]</a></p> <p>Ms. DeGolia presented the Salary Guidelines Revisions.</p> <ul style="list-style-type: none"> <li>• Revisions include adding Flexible Classification language to the guidelines on Salary Level Ranges and adding salary footnote language to the "Lateral Moves &amp; Changes in the Same Job Description" section.</li> <li>• No projected impact at this time; salary changes will be made within the approved budget.</li> </ul> <p>Chair Herzfeld asked if there was any public comment before taking a vote.</p> <p>Chair Herzfeld facilitated the vote to recommend the Salary Guidelines Revisions be brought to the Commission for review and approval.</p>	<p>Motion: C. Echeverría Second: S. Coffin No Abstentions Motion passed.</p>	<p>The Salary Guidelines Revisions will be brought to the full Commission for review and approval.</p>
<b>11. CEO PERFORMANCE EVALUATION - CLOSED SESSION (GOV CODE 54754.5)</b>			
R. Herzfeld	<p>Chair Herzfeld requested that all members of the public and staff leave the Zoom meeting for Closed Session to conduct the CEO's performance evaluation.</p> <p>The public was dismissed at 10:06 AM.</p> <p>Chair Herzfeld reconvened the meeting at 10:10 AM and shared that the recommendation at the last Executive Committee meeting to bring the CEO's performance evaluation to the Commission was not done and that the Executive Committee was previously delegated the authority by the Commission to conduct the CEO's performance review and approve any changes to the compensation package.</p>	<p>CEO 10% salary increase effective 2/5/20 and CEO package consistent with prior year including ongoing contribution to 457 (b) plan up to annual limit each year.</p> <p>Motion: C. Echeverría Second: S. Coffin No Abstentions Motion passed.</p>	<p>None</p>
<b>12. ADJOURNMENT</b>			
R. Herzfeld	<p>Chair Herzfeld gavelled out and adjourned the meeting at 10:13 AM.</p>	<p>None</p>	<p>None</p>

Respectfully Submitted By: Julia Otani, Executive Assistant



Draft October 2020

## 2021 MEETING CALENDAR

MEETING DATES ARE SUBJECT TO CHANGE. MEMBERS OF THE PUBLIC CAN CALL 510-227-6900 TO VERIFY DATE AND TIME.  
 ALL MEETINGS WILL BE HELD AT THE FIRST 5 OFFICE: 1115 ATLANTIC AVENUE, ALAMEDA, CA 94501  
 UNLESS OTHERWISE INDICATED IN ADVANCE OF THE MEETING

MONTH	EXECUTIVE COMMITTEE 9:00 AM – 10:30 AM	COMMISSION 9:00 AM - 11:30 AM	AGENDA ITEMS (SUBJECT TO CHANGE)
FEBRUARY	Thursday, February 18	Thursday, February 25	<ul style="list-style-type: none"> <li>Election of Officers</li> <li>Mid-Year Budget Modification</li> <li>Mid-Year Investment Update</li> <li>Investment Policy Revisions</li> </ul>
APRIL	Thursday, April 15	Thursday, April 22	<ul style="list-style-type: none"> <li>First reading of FY 2021-22 Budget</li> <li>First reading of FY 2021-22 Strategic Plan</li> <li>First reading of Long-Range Financial Plan</li> <li>First 5 CA Annual Report</li> </ul>
JUNE	Thursday, June 17	Thursday, June 24	<ul style="list-style-type: none"> <li>Final approval of FY 2021-22 Budget</li> <li>Contract Authorizations</li> <li>Final Approval of FY 2021-22 Strategic Plan</li> <li>Final Reading of Long-Range Financial Plan</li> <li>Financial Policies Revisions</li> <li>ACERA 401(h) Approval</li> <li>Personnel Policies Revisions</li> <li>GASB 54 Fund Balance Commitment</li> </ul>
AUGUST	Thursday, August 12	Thursday, August 19	<ul style="list-style-type: none"> <li>TBD</li> </ul>
OCTOBER	Thursday, October 7	Thursday, October 14	<ul style="list-style-type: none"> <li>FY 2020-21 Financial Audit Report</li> </ul>
DECEMBER	Thursday, December 9	Thursday, December 16	<ul style="list-style-type: none"> <li>F5AC Annual Report to First 5 CA</li> <li>F5AC Annual Report</li> </ul>





**To:** First 5 Alameda County Executive Committee  
**From:** Christine Hom, Finance Officer  
**Date:** October 6, 2020  
**Subject:** FY 2019-20 Financial Audit Update

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**REQUESTED ACTION**

To review the following financial audit procedure and update.

**BACKGROUND**

It is a requirement of the Proposition 10 statute and First 5 California that each First 5 county commission conduct an audit and submit its corresponding audit report to First 5 California and the State Controller's Office by November 1st of each year.

**AREAS COVERED BY FY 2019-20 FINANCIAL AUDIT:**

The audit firm of RS Associates conducted the FY 2019-20 financial and expanded audits (for state compliance) and has provided an unqualified opinion.

The audit process included internal controls testing of the following areas:

- a. Cash disbursements, including appropriate documentation, authorization and a comprehensive review of grants and contracts
- b. Payroll (tying to general ledger, timesheets, I-9s, rate of pay, offer letters)
- c. Revenues, including sending confirmation letters
- d. Receivables from Prop 10 tobacco tax and other sources
- e. Accrued liabilities and confirmation of subsequent payments
- f. Cash receipts
- g. Individual accounts on the general ledger
- h. Bank reconciliations
- i. Confirming cash in County Treasury and investments with money managers
- j. Prepaid expense accounts
- k. Accrued vacation
- l. All expense accounts and analysis of variances

- m. Investment disclosure
- n. Lease disclosure
- o. Preparation of Restricted Funds presentation
- p. Fixed Assets and preparation of schedule
- q. Review of Retirement Disclosure
- r. Development of Year-end Financial Statements
- s. Expanded compliance audit (related to SB 35 and AB 109)
  - i. Contracting and procurement
  - ii. Administrative costs
  - iii. Conflict of interest
  - iv. County ordinance
  - v. Long range financial plan
  - vi. Financial condition of the commission
  - vii. Program evaluation
  - viii. Salaries and benefits policies

The sections of the audit package are as follows.


- Independent Auditor’s Report
- Management’s Discussion and Analysis:
- Financial Statements including Statement of Net Position and Statement of Activities
- Governmental Fund Statements including 1. Balance Sheet, 2. Reconciliation of Balance to Net Assets, 3. Statement of Revenues, Expenditures and Changes in Fund Balance, 4. Reconciliation of the Statement of Revenues, Expenditures and Changes in Fund Balance to the Statement of Activities
- Notes to Financial Statements
- Supplementary Schedule of Revenue and Expenditures by Fund Source
- Independent Auditor’s report on internal controls
- Independent Auditor’s report on state compliance
- Status of prior year findings (there were no findings)

The final audit report will be presented to the Commission by Ragini Singh of RS Associates on Thursday, October 15, 2020.

**RECOMMENDATION**

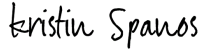
That the Executive Committee review the above areas in preparation of the audit presentation to the Commission at their next meeting on October 15, 2020.

Submitted by:

DocuSigned by:  
  
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Christine Hom  
Finance Officer

Reviewed by:

DocuSigned by:  
  
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Kristin Spanos  
Chief Executive Officer



**To:** First 5 Alameda County Executive Committee

**From:** Mojgan Vijeh, Director of Operations & Technology

**Date:** October 6, 2020

**Subject:** Employee Handbook Revisions

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#### **ACTION REQUESTED**

To review the proposed revisions to the Employee Handbook.

#### **BACKGROUND**

First 5 Alameda County adopted Personnel Policies in May 2004 in preparation for separation from Alameda County. Since then review has been done annually and resulted in revisions as needed. Revisions are necessary periodically due to changes in practice or law. We engage the employment law firm of Wiley Price & Radulovich when consultation is needed on issues of employment, including revision of employee policies in the Employee Handbook. All significant policy revisions are listed on the change log at the end of the document.

#### **RECOMMENDATION**

The following changes are part of a complete legal review of the Employee Handbook by Joan Pugh Newman at Wiley Price & Radulovich and represent edits that clarify policy and current agency practices in accordance with employment law. The significant changes identified in the Employee Handbook are as follows:

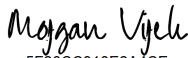
First 5 recommended changes as part of legal review:

- Page 4: **At-Will Employment** - Consistent with business practice, CEO to sign at-will employment agreement with employees, instead of Commission Chair.
- Page 4: Update and expand "**Policy Prohibiting Harassment & Discrimination**".
- Page 23: **Remote Work** - Alteration of remote work policy due to COVID, removing the need to request a Remote Work arrangement.

#### **RECOMMENDATION**

To review and recommend the proposed Employee Handbook revisions be brought to the full Commission for approval.

Submitted by:

DocuSigned by:  
  
5E26CC318E2A4CE  
Mojgan Vijeh  
Director of Operations & Technology

Reviewed by:

DocuSigned by:  
  
ED639B4561544E4  
Kristin Spanos  
Chief Executive Officer

**AGENDA ITEM 6.1**

# FIRST 5



## Employee Handbook

Revised September 2020

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<b>Welcome</b>	
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4	Equal Opportunity
4	Reasonable Accommodation of Protected Disabilities
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6	Work Eligibility
6	Introductory Period
6	Employee Classifications
7	Job Postings
7	Hiring Relatives
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9	Flexible Spending Accounts
9	COBRA Insurance Continuation
9	Payment in Lieu
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14	Coordination of Benefits
<b>Part Six: Leaves of Absence</b>	
14	General Information: Requests, Medical Certifications Concurrent Leaves

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15	Unpaid Leaves <ul style="list-style-type: none"> <li>• Family/Medical Leave under FMLA/CFRA</li> <li>• Non-FMLA/CFRA Medical/Family Leave</li> <li>• Pregnancy Disability Leave</li> <li>• Workers' Compensation Leave</li> <li>• Personal Leave of Absence</li> </ul>
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19	9/80 Schedule
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26	Disciplinary Procedures
27	Conflict of Interest
27	Confidentiality
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28	Payroll and Returning F5AC Property

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- 28 Reduction in Workforce
- Length of Service
  - Notice
  - Severance Pay
  - Outplacement Services

**Acknowledgement**

**Change Log**

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## Welcome

Welcome to employment with First 5 Alameda County (F5AC). Through the efforts of our employees, F5AC has established itself as a leading organization in our community and we are excited to have you join our team.

Our vision and mission, along with our strategic plan, guide our work. To ensure our continued success, all employees also need to understand, and comply with, our policies and procedures. This Handbook contains important F5AC information including a summary of our policies, benefits, and work expectations. We encourage you to use it as a reference throughout your employment with us.

If you have any questions, please do not hesitate to ask either your supervisor or our Human Resources team.

Sincerely,



Kristin Spanos, Chief Executive Officer

## Our Vision

Every child in Alameda County will have optimal health, development and well-being to reach their greatest potential.

## Our Mission

In partnership with the community, we support a county-wide continuous prevention and an early intervention system that promotes optimal health and development, narrows disparities and improves the lives of children aged 0 to 5 years and their families.

## Part One: Introduction

This handbook is designed to help you familiarize yourself with important information about First 5 Alameda County ("F5AC"), and information regarding your own privileges and responsibilities as employees.

It is not possible to anticipate every situation that may occur in the workplace or to provide information that answers every possible question. Also, future circumstances may require changes in the policies, practices, and benefits described in this handbook. Accordingly, except for the principle of At-Will Employment relationship with its employees, F5AC reserves the right to modify, rescind, supplement, or revise any provision in this handbook. While F5AC makes reasonable efforts to provide you with advance notice of any modifications or revisions to the handbook, and distributes updated pages as revisions are made, advance notice of policy changes may not always be possible. Changes to policies apply to F5AC employees on their effective date.

This handbook is not intended to be a contract. The policies and procedures in this handbook are intended to, and do, replace all previous employee policies, practices, and guidelines.

All employees are expected to comply with all policies in this handbook. Employees who fail to comply with any policy will be subject to discipline, up to and including immediate termination.

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Any questions regarding the contents of this handbook may be addressed to your supervisor or to the Human Resources Administrator.

### At-Will Employment

Employment with F5AC is “at will.” This means that the employment relationship is not for any specified period and can be terminated by either the employee or F5AC at any time with or without any particular reason, with or without cause, and with or without advance notice. Nothing contained in these policies is intended to, or should be construed to, alter the at-will relationship between F5AC and its employees. Although other terms, conditions and benefits of employment with F5AC may change, the at-will relationship of employment is one aspect that cannot be changed except by an agreement in writing with F5AC, signed by the ~~CEO chair of the board on behalf of the entire board~~ and by the employee.

### Equal Opportunity

F5AC affords equal opportunity in all aspects of employment to all employees and applicants for employment without regard to basis of race, religion (including religious dress or grooming), creed, sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender, national origin, ethnicity, ancestry, citizenship, age, physical or mental disabilities, color, marital status, registered domestic partner status, sexual orientation, gender identity or expression, genetic information, medical condition, military or veteran status, exercise of rights under the Pregnancy Disability Leave Law or the California Family Rights Act, or any other basis protected by applicable law. This policy applies to all employees and applicants for employment, and extends to all phases of employment, including but not limited to: recruitment, hiring, training, promotion, discharge or layoff, rehiring, compensation, and any benefits.

### Reasonable Accommodation for Protected Disabilities

F5AC complies with the reasonable accommodation requirements of applicable law, including the obligation to engage in the interactive process to identify possible reasonable accommodations for employees and applicants with disabilities. Employees or applicants who wish to request a reasonable accommodation should make this request to the Human Resources Administrator. Alternatively, employees may make their request to their direct supervisor, who will be responsible for communicating the request for accommodation to Human Resources.

Any complaints or concerns regarding reasonable accommodation should be directed promptly to the Human Resources Administrator.

### Policy Prohibiting Harassment & Discrimination

~~Harassment and discrimination in employment on the basis of sex (including pregnancy, childbirth, breastfeeding, or related medical condition), gender, race, color, national origin, ancestry, citizenship, religion, creed, age, physical or mental disability, medical condition, sexual orientation, gender identity or gender expression, military or veteran status, marital status, registered domestic partner status, genetic information, or any other protected basis (collectively the “Protected Characteristics”) is unlawful under federal and state law. All employees are entitled to work free of discrimination or harassment based on any Protected Characteristic. The law prohibits all employees (including coworkers, supervisors, and managers), as well as third parties the employee comes in contact, from engaging in this prohibited conduct. Accordingly, F5AC does not tolerate discrimination or harassment in the workplace or in a work related situation. Unlawful discrimination and harassment is a violation of the F5AC’s rules of conduct~~

Unlawful harassment in employment may take many different forms. Some examples are:

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- Verbal conduct such as epithets, derogatory comments, slurs, or unwanted comments and jokes;
- Visual conduct such as derogatory posters, cartoons, drawings, or gestures;
- Physical conduct such as blocking normal movement, restraining, touching, or otherwise physically interfering with work of another individual;
- Threatening or demanding that an individual submit to certain conduct or to perform certain actions in order to keep or get a job, to avoid some other loss, or as a condition of job benefits, security, or promotion; and
- Retaliation by any of the above means for having reported harassment or discrimination, or having assisted another employee to report harassment or discrimination.

Internal Complaint Procedure Discrimination and harassment are not tolerated. In addition, F5AC prohibits retaliation for making a report, and/or participating in the reporting or investigative process, under this policy. Violation of this policy will result in disciplinary action up to, and including, immediate discharge.

Any individual who believes they are the object of harassment or discrimination on any prohibited basis, or who has observed harassment or discrimination, or who believes they have been subjected to retaliation, should notify their supervisor, F5AC's Human Resources Manager, or any supervisor or manager. Supervisors who receive a complaint under this policy will report it to Human Resources. F5AC will conduct a fair, timely, and thorough investigation, and will do so in a confidential manner, to the extent possible. The investigation will be performed by impartial and qualified people and will be appropriately documented. Following the investigation, F5AC will take action as is warranted under the circumstances and will timely close the matter.

#### External Agency Complaint Procedure

Both the state and federal governments have agencies to address unlawful discrimination in the workplace. If an employee believes they have been harmed by an unlawful practice and is not satisfied with F5AC's response to the problem, they may file a written complaint with these agencies. For the State of California, the agency is called the Department of Fair Employment and Housing ("DFEH"). The local address for the DFEH is 2218 Kausen Drive, #100, Elk Grove, California 95758. For the federal government, the agency is called the Equal Employment Opportunity Commission ("EEOC"). The local address for the EEOC is 1301 Clay Street, #1170, Oakland, California 94612.

If, after an investigation and hearing, either of these agencies finds that unlawful discrimination has occurred, the injured employee may, depending on the circumstances, be entitled to reinstatement or promotion, with or without back pay.

#### Retaliation

Retaliation against any individual for making a report, or for participating in an investigation, under this policy is strictly prohibited. Individuals are protected by law and by F5AC policy from retaliation for opposing unlawful discriminatory practices, for filing an internal complaint under this policy or for filing a complaint with the DFEH or EEOC, or for otherwise participating in any proceedings conducted by F5AC under this policy and/or by either of these agencies.

Harassment and discrimination in employment on the basis of sex (including pregnancy, childbirth, breastfeeding, or related medical condition), gender, race, color, national origin, ancestry, citizenship, religion, creed, age, physical or mental disability, medical condition, sexual orientation, gender identity or gender expression, military or veteran status, marital status, registered domestic partner status, genetic information, or any other protected basis (collectively the "Protected Characteristics") is unlawful under federal and state law. Every individual is

entitled to work free of discrimination or harassment based on any Protected Characteristic. The law prohibits all employees (including coworkers, supervisors, and managers), as well as third parties with whom the employee comes into contact, from engaging in this impermissible conduct. Accordingly, F5AC does not tolerate discrimination or harassment in the workplace or in a work-related situation. Unlawful discrimination and harassment violates F5AC's rules of conduct.

Unlawful harassment in employment may take many different forms. Some examples are:

- Verbal conduct such as epithets, derogatory comments, slurs, or unwanted comments and jokes;
- Visual conduct such as derogatory posters, cartoons, drawings, or gestures;
- Physical conduct such as blocking normal movement, restraining, touching, or otherwise physically interfering with work of another individual;
- Threatening or demanding that an individual submit to certain conduct or to perform certain actions in order to keep or get a job, to avoid some other loss, or as a condition of job benefits, security, or promotion; and
- Retaliation by any of the above means for having reported harassment or discrimination, or having assisted another employee to report harassment or discrimination.

Sexual harassment under these laws includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

#### Internal Complaint Procedure

Discrimination and harassment in employment are not tolerated. In addition, F5AC prohibits retaliation for having made a report, and/or otherwise participating in the reporting or investigative process, under this policy. Violation of this policy will result in disciplinary action up to, and including, immediate discharge.

Any individual who believes they are the object of harassment or discrimination on any prohibited basis, or who has observed such harassment or discrimination, or who believes they have been subjected to retaliation, should notify their supervisor, F5AC's Human Resources Manager, or any supervisor or manager. Supervisors who receive a complaint under this policy will report it to Human Resources. F5AC will conduct a fair, timely, and thorough investigation, and will do so in a confidential manner, to the extent possible. The investigation will be performed by impartial and qualified personnel, and will be appropriately documented. Following the investigation, F5AC will take such action as is warranted under the circumstances, and will timely close the matter.

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## Agency Complaint Procedure

Both the state and federal governments have agencies whose purpose is to address unlawful discrimination in the workplace. If an individual who provides services to the F5AC believes they have been harmed by an unlawful practice, and is not satisfied with F5AC's response to the problem, they may file a written complaint with these agencies. For the State of California, the agency is called the Department of Fair Employment and Housing ("DFEH"). The local address for the DFEH is 2218 Kausen Drive, #100, Elk Grove, California 95758. For the federal government, the agency is called the Equal Employment Opportunity Commission ("EEOC"). The local address for the EEOC is 1301 Clay Street, #1170, Oakland, California 94612.

If, after an investigation and hearing, either of these agencies finds that unlawful discrimination has occurred, the injured employee may, depending on the circumstances, be entitled to reinstatement or promotion, with or without back pay.

### Retaliation

Retaliation against any individual for making a report, or for participating in an investigation, under this policy is strictly prohibited. Individuals are protected by law and by F5AC policy from retaliation for opposing unlawful discriminatory practices, for filing an internal complaint under this policy or for filing a complaint with the DFEH or EEOC, or for otherwise participating in any proceedings conducted by F5AC under this policy and/or by either of these agencies.

## Part Two: Employment and Hiring Policies

### Work Eligibility

Employees who will be working alone with children are required to be fingerprinted prior to employment. Employees who will work directly with families are required to pass a TB test prior to employment, and periodically during employment.

California law requires that certain employees must report suspected child abuse or neglect to a child protective agency. Consistent with F5AC's mission to improve the lives of children and their families, all F5AC employees are considered mandated reporters. Employees are provided with training on these reporting procedures during their introductory period.

### Introductory Period

The introductory period is typically the first one hundred eighty (180) days following the start of employment at F5AC. During this period, performance is carefully evaluated and a determination is made regarding whether the employee's job performance is sufficient to pass the introductory period and become a "regular employee. An employee's successful completion of the introductory period does not alter the employee's "at will" status and does not guarantee continued employment for any time period. Under certain circumstances and at its sole discretion, F5AC may extend an employee's introductory period for up to an additional 90 days. The introductory period does not alter benefits or seniority. The introductory period is completed only when the employee is issued a writing by F5AC notifying them of the conclusion of the introductory period.

Notwithstanding the introductory period, because your employment is at-will, it may be terminated by you or by F5AC at any time, during or after your introductory period, for any reason or no reason, with or without cause, and with or without advance notice.

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## Employee Classifications

Employees are placed into classifications based on job description, job duties, and applicable wage/hour laws.

- Exempt Employee: An executive, administrative, or professional employee who is exempt from the overtime pay requirements of applicable law.
- Non-exempt Employee: An employee (generally paid by the hour) who is eligible to receive overtime pay for overtime hours actually worked.
- Regular Full-Time Employee: An employee who is regularly scheduled to work forty (40) hours or more per workweek, and who has successfully completed their introductory period.
- Regular Part-Time Employee: An employee who is regularly scheduled to work at least twenty (20), but fewer than forty (40) hours per workweek, and who has successfully completed their introductory period.
- Introductory Employee: An employee who has not yet successfully completed their introductory period. (See Introductory Period policy, above.)
- Temporary Employee: An employee who is hired on a full- or part-time basis for a specified period, usually not to exceed twelve (12) months.
- Intern: A temporary employee hired on a full- or part-time basis for a specified period, usually not to exceed twelve (12) months, to further a degree, and usually attached to an accredited University program.
- On-Call Employee: An employee who is not regularly scheduled to work a specified number of hours in any given workweek, but who is called to work on an as-needed basis.

All employees are classified as: 1) exempt or non-exempt; 2) as regular, introductory, temporary, or on-call; and 3) as part-time or full-time. These classifications determine, e.g., eligibility for benefits, compensatory time, and overtime.

Changes in employee classification may occur when a significant job change occurs (for example, a promotion or a change in work hours, etc.) intended to last for more than four (4) months.

## Job Postings

F5AC attempts to find the most qualified candidates to fill position vacancies. This is generally accomplished through a combination of internal and external recruiting. Consideration is given to the advancement of current employees. Employees are encouraged to apply for promotions or transfers for which they believe they are qualified.

Open F5AC positions are posted through the HR system and typically announced by F5AC email. Internal postings may occur simultaneously with external postings. F5AC determines when to fill positions from within or to hire externally.

Only the Human Resources Administrator and the Chief Executive Officer have the authority to extend job offers. All employment offers are made in writing.

## Hiring Relatives

Employees' or Commissioners' relatives may apply for F5AC positions. To avoid conflicts of interest, or appearances of conflicts, F5AC established these guidelines:

- Employees & Commissioners may not conduct a job interview or make employment-related decisions involving relatives.
- Employees may not supervise relatives under any circumstances.

The definition of "relative" for purposes of this policy is the employee's:

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- Spouse/domestic partner
- Child, or spouse's or domestic partner's child (including: natural child, legally adopted child, or a child for whom the employee, spouse, or domestic partner has been awarded court-appointed legal guardianship)
- Parent or spouse's/domestic partner's parent
- Sibling or sibling's spouse/domestic partner
- Any other individual living in the same household as the employee

It is expected that all employees, regardless of any relationship status, will conduct themselves professionally in their interactions with all other employees working at F5AC.

## Part Three: Employee Development

### Performance Management

Effective performance management is critical to our success. Employees need to know our expectations to carry out our strategic plan and achieve our mission. Supervisors are expected to provide ongoing, timely feedback and coaching to their team so that employees know how they are doing and to address any performance issues. Employees are expected to engage in dialogue with their supervisor to ensure a clear understanding of performance expectations and to identify any areas needing improvement.

Each employee's performance is formally reviewed at the end of the introductory period, and on an annual basis thereafter, to coincide with the approximate anniversary of the employee's start date with F5AC (or the anniversary date of any subsequent change in position). Performance review guidelines are provided by Human Resources for supervisors and employees to follow during the process.

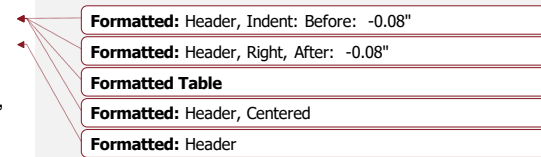
Completed performance reviews signed by the employee, supervisor and Human Resources Administrator are placed in the employee's file. Employees are also provided an opportunity to sign the review. Employees may keep a copy of their review and may comment on the review in writing.

If an employee's overall performance is rated as less than satisfactory, or if specific areas of performance are identified that need improvement, the supervisor may develop a written performance improvement plan for the employee. Performance improvement plans generally include specific goals for improvement along with the strategies and timeline to improve performance. Supervisors are required to work with the Human Resources Administrator when any performance issues are identified that may require a written improvement plan.

### Professional Development

#### Staff Development and Training Program

F5AC encourages professional growth for all employees and has created the Staff Development and Training Program. The Development and Training team surveys staff on topics of interest and may engage local trainers to present trainings that support employees' desired growth. Any such trainings are typically offered free to employees and require supervisor approval in advance to attend. Supervisors are encouraged to allow employees to attend appropriate such trainings as work requirements allow.



## Individual Professional Development

In addition to trainings through the Staff Development & Training program, employees may request up to \$500 per year to spend on their own professional development needs. Employees may request to use these funds for trainings, seminars, courses, webinars and conferences that are approved in advance by their supervisor but are not necessarily required for their particular job. Professional development books, CDs, other materials, licenses or certifications may also be requested by an employee from professional development funds.

Supervisor and Human Resources approval is required prior to payment or reimbursement of professional development funds. Detailed information about submitting professional development requests can be found in F5AC's Procedures Manual.

## Part Four: Employee Benefits

### Health Insurance

Employer Sponsored Health Insurance (medical, dental and vision insurance) is offered as part of the benefits package to regular, full-time and Introductory employees, as well as regular, part-time employees who regularly work 20 hours or more per week. F5AC contributes to the cost of premiums for the employee, spouse/domestic partner and/or eligible dependents, up to an amount determined annually by F5AC. If an employee chooses health insurance that costs more than the employer contribution, the balance of the cost is paid by the employee on a pre-tax basis through payroll as applicable by law. The employer contribution is only used to offset the cost of the health premiums and is not used for other purposes nor paid out to employees. F5AC's share of benefit costs for part-time employees is pro-rated to the percent of time the employee is regularly scheduled to work.

Temporary employees with temporary assignments lasting more than 60 days who regularly work 30 or more hours per week and their eligible family members are offered health insurance. For these eligible temporary employees, F5AC covers the same amount of employer share of premiums as it does for eligible regular and introductory employees. Any balance of premium costs is paid by the eligible temporary employee on a pre-tax basis through payroll. Temporary employees who work fewer than 30 hours per week and have temporary assignments lasting fewer than 60 days are not eligible for F5AC health insurance.

F5AC reserves the right to change medical, dental and vision insurance plans and benefits under those plans, to change the employer share of premium payments for the plans, or change the amount it pays employees who opt out of the plan(s) (see "Payment in Lieu" section), with or without notice, consistent with any legal obligations it may have. In general, the employer share of premiums is determined prior to each Open Enrollment period.

For the purposes of health insurance coverage, "eligible dependent" is defined as spouse or domestic partner and eligible dependent children up to age 26.

A dependent child is covered for health insurance through the end of the month when they turn 26. Dependent Life Insurance covers full-time students up to age 24.

### Flexible Spending Accounts

All regular employees may enroll in F5AC's flexible spending account ("FSA") program, which allows employees to set aside pre-tax dollars to be used for eligible medical or dependent care

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expenses. The IRS determines annual election limits and provides a comprehensive list of reimbursable expenses.

Carefully estimate your expenses when making an FSA election. FSA plans are “Use it or Lose it,” and they reset each calendar year. Our Health Care FSA allows employees to carryover up to \$500 from one plan year to the next. If your balance exceeds \$500 at the end of the plan year, however, that amount will be forfeited.

### **COBRA Insurance Continuation**

If employees and covered dependents are in a position to lose health insurance coverage as a result of certain qualifying events (including termination or reduction in hours), they may have certain rights to remain on the insurance plan at their own expense through COBRA. More information regarding COBRA coverage, costs, and administrative procedures is available from Human Resources.

Employees who experience a “qualifying event” (e.g. marriage, divorce, adoption) must provide written notice to Human Resources within 60 days after the qualifying event occurs.

### **Payment in Lieu**

Regular employees may choose not to enroll in employer sponsored health insurance if they have proof of medical insurance through another source. Regular employees who sign a waiver receive a “Payment in Lieu” of benefits at a set rate each pay period (pro-rated for part-time employees to the percent of time regularly scheduled to work). This amount is reviewed annually, generally prior to each Open Enrollment period, and F5AC reserves the right to change the amount. Payment in Lieu is subject to state and federal taxes.

Temporary employees who are offered health insurance and choose not to enroll are not eligible to receive a payment in lieu.

### **Flexible Benefit Credit**

All regular, full-time employees receive an Annual Flexible Benefit Credit (“Flex Credit”) per calendar year. This amount is reviewed annually, generally prior to each Open Enrollment period, and F5AC reserves the right to change the amount of the Flex Credit. Part-time, regular employees’ Flex Credit is pro-rated based on the percent of time regularly scheduled to work. The Flex Credit may only be applied to the cost of pre-tax plans.

After applying the Flex Credit to pre-tax plans, the remaining balance is paid to employees as a taxable earning.

### **Life Insurance**

Regular employees who work 20 or more hours per week are eligible to apply for basic \$25,000 life and accidental death and dismemberment insurance benefit paid for by F5AC. Employees may also elect supplemental coverage at their own expense, with premium payments made on a pre-tax basis through payroll under F5AC’s Cafeteria (Section 125) Plan. Additionally, employees may elect supplemental life insurance for their spouse/domestic partner and/or dependent children at their own expense. These premiums are paid on an after-tax basis through payroll deduction.

### **Alameda County Employees Retirement Association (ACERA) Pension Plan**

All regular, full-time employees are required to become members of ACERA, a defined benefit retirement pension plan for public employees in Alameda County.

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- Participating employees are required to make a pre-tax retirement contribution to ACERA through payroll deduction. Contribution rates are set by ACERA and are subject to change each year.
- Part-time or temporary employees are not eligible to become members of ACERA.
- Full-time employees who convert to part-time or temporary status are required to continue ACERA membership.
- Additional information about ACERA is available from Human Resources or can be found at the ACERA website: <http://www.acera.org>.

**457 Deferred Compensation Plan**

Regular, full-time, introductory and regular, part-time employees may participate in the Alameda County Deferred Compensation Plan. Pre-tax or Roth (after-tax) contributions are made through paycheck deduction. The plan offers a variety of investment options employees can select. Employees may enroll or change their deferred compensation election at any time during the year; however, any requested changes will not be effective until the month following receipt of the requested change. For more information, contact Human Resources or visit [www.acgov.org/treasurer/deferred.htm](http://www.acgov.org/treasurer/deferred.htm).

**Workers' Compensation**

F5AC pays for workers' compensation insurance as required by law to protect employees who are injured on the job. This insurance provides medical, surgical, and hospital treatment to qualifying employees, in addition to compensation for a percentage of loss of pay resulting from work-related injuries or illness.

You must immediately report any work-related injury to your supervisor, regardless of how minor the injury may seem. Contact Human Resources with questions concerning our workers' compensation coverage.

**Additional Benefits**

F5AC offers additional benefits to all regular employees working 20 or more hours per week including Long-Term Disability, Employee Assistance Program, Commuter Benefits and an Employee Discount Program. Enrollment and eligibility information is available from Human Resources.

**Part Five: Paid Time Off**

**Vacations**

F5AC provides paid vacation time to certain eligible employees so that they may take time off to relax, recuperate and recharge. Regular full-time, introductory employees earn paid vacation time on the following schedule, beginning on their hire date:

<u>Service Year</u>	<u>Total Possible Annual Accrual</u>
1–3 years:	10 days each calendar year (80 hours)
4–10 years:	15 days each calendar year (120 hours)
11-20 years:	20 days each calendar year (160 hours)
21+ years	25 days each calendar year (200 hours)

The CEO, in consultation with Human Resources, may approve a higher vacation accrual as part of the hiring process or retention efforts. Any additional time must be documented in the employee's file.

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Regular and introductory as well as part-time employees who are regularly scheduled to work twenty (20) or more hours per week earn paid vacation time on a pro-rated basis based on the number of hours worked per week. Certain long-term temporary employees may be eligible to accrue vacation, if approved in writing by the CEO. No other employee classifications are eligible for this benefit.

Accrued vacation time cannot be taken until three months after your first day of employment.

Employees may accrue vacation time up to a maximum of two (2) times their annual accrual. For example, an employee with five years of service may accrue up to a maximum of 30 days of accrued vacation time. Upon reaching this accrual cap, the accrual stops until vacation time is taken to reduce the employee's balance to below the cap. Any unused vacation time is rolled over into the following year, up to the cap.

All vacation time must be requested through the HR system, typically 4 weeks in advance, and is subject to advance approval from your direct supervisor. Please note that F5AC may not be able to approve all time off requests due to organizational needs.

F5AC encourages employees to use their accrued vacation time. Employees may, however, request to receive a vacation pay-out for some of their accrued, unused vacation in lieu of taking paid time off work. Vacation pay-out is limited to the number of hours that an employee accrues in one calendar year under this policy, and employees who request a vacation pay-out are required to have a minimum of one year's accrual remaining after the pay-out.

When ending employment for any reason, employees are paid for any accrued, unused vacation.

F5AC does not pay employees for vacation time, before it is accrued.

### Holidays

F5AC generally observes the following holidays:

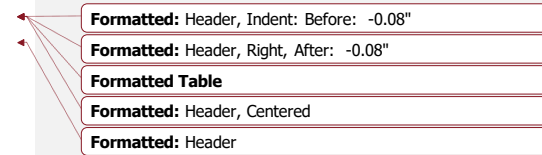
New Year's Day	Labor Day
Martin Luther King Jr. Day	Veterans' Day
Lincoln's Birthday	Thanksgiving Day
Washington's Birthday	Friday after Thanksgiving
Memorial Day	Christmas Day through New
Independence Day	Year's Day (included)

Full-time regular and introductory employees are provided a paid day off for each F5AC-recognized holiday. Part-time regular and introductory employees, and employees with a flexible work schedule who are regularly scheduled to work on the above identified holidays, are paid for that holiday up to the number of hours they are regularly scheduled to work. No other employee classifications are eligible for this benefit.

Employees on approved paid vacation at the time a holiday occurs will not have that day counted as vacation pay but will instead receive holiday pay as described above.

### Paid Time Off (PTO)

All regular and introductory full-time employees receive 56 hours (7 days) of paid time off (PTO) each year in addition to vacation and paid sick leave and F5AC's regular holidays. PTO allows employees to have additional paid leave to cover absences for personal reasons such as religious observances. Eligible employees receive 56 hours of PTO on January 1 each year;



eligible employees hired during a calendar year receive a PTO allocation at the time of hire that is prorated based on the hire date. Eligible employees may request to use PTO on or following the day that it is received, including new employees, who may request to use PTO during their introductory period. Requests to use PTO should be submitted as soon as possible. Please note that F5AC may not be able to approve all PTO requests due to organizational needs.

Part-time employees are granted pro-rated PTO hours based on their regular part-time schedule.

No other classification of employees receives PTO.

The total amount of PTO an employee may have in their account at any time is 56 hours (or the pro-rated amount described above for part-time employees). If an employee has the maximum amount of PTO remaining in their account on next January 1, no additional PTO will be granted for that year.

When the employment relationship ends, employees will be paid out for any unused PTO in their final paycheck.

#### **Paid Sick Time**

Paid sick time provides all employees with paid time off to recover from illness or injury, to care for medical needs of family members, or for any other reason permitted by law, including for an employee who is a victim of domestic violence, sexual assault or stalking to obtain relief, such as medical attention and psychological counseling. For purposes of this section "family member" means mother, stepmother, father, stepfather, husband, wife, domestic partner, son, stepson, daughter, stepdaughter, grandparent, grandchild, brother, sister, foster parent, foster child, mother-in-law, and father-in-law, or any other person sharing the relationship of in loco parentis; and, when living in the household of the employee, a brother-in-law or sister-in-law.

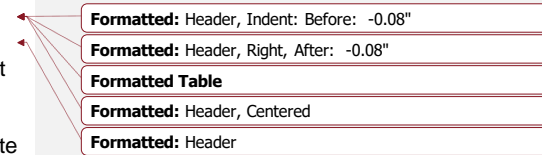
Sick time may also be used for health care appointments for the employee or an employee's family member.

Eligible regular and introductory full-time employees may accrue sick time at the rate of .5 days (4 hours) per pay period of service for a total possible accrual of thirteen (13) paid sick days per year. Regular and introductory part-time employees accrue sick time on a pro-rated basis, based on the number of hours they are regularly scheduled to work. Employees may use accrued sick time during their introductory period, beginning on their hire date, and may use paid sick time as soon as it accrues.

Temporary employees, whether full-time or part-time, are provided with three days (24 hours) of sick time at the time of hire. Temporary employees may not use sick time until their ninetieth (90<sup>th</sup>) day of employment.

Regular and introductory full-time and part-time employees' accrued, unused sick time may be carried over from one year to the next, and there is no limit to their sick time accrual. Paid sick time balances for temporary employees may not be carried over to the next year. Instead, temporary employees receive a new grant of three days (24 hours) of paid sick time every January 1.

No payment is made for accrued, unused sick time at termination or at any other time. However, regular employees who are rehired within twelve (12) months will have their sick leave balance at the time of separation reinstated. Temporary employees who are rehired within 12 months from their date of separation will also have their sick leave balance reinstated and will be



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provided with three days of sick time, as described above, up to a combined maximum of six (6) days of sick time.

Employees are responsible for directly notifying their supervisor prior to the start of the business day (or no later than one hour following their regularly scheduled start time), when prevented from starting or continuing a workday due to illness or injury. Employees must also keep their supervisor informed about the expected duration of the time away from work.

In most circumstances, a doctor's statement is required when an employee uses more than five (5) consecutive days of sick time (either for themselves, or to care for an ill family member) or when an accumulation of absences seems to establish (in the supervisor's judgment) a problematic use of sick time. However, F5AC may request medical verification of the need for any use of sick time, regardless of duration.

If sick leave is exhausted and additional time off for medical reasons is needed, employees may request or be required to use vacation and/or PTO leave, or may be granted unpaid time off. Such requests must be approved by F5AC.

F5AC County does not make any advance payments of sick time (e.g., employees may not use sick time before it is accrued). F5AC may give time off without pay to an employee who needs time off due to personal or family illness or injury as allowed above and who has exhausted their accrued paid leave (sick, PTO, and vacation).

#### **Jury or Witness Duty**

Leave is granted for an employee to serve jury duty or witness duty in response to a summons or subpoena. Regular and introductory, full-time and part-time employees receive paid time off for a maximum of two weeks when required to serve jury or witness duty (part-time employees' Jury or Witness Duty pay is pro-rated based on the percent of time regularly scheduled to work). If additional leave is required beyond the two-week period, or if the employee is not eligible to receive paid jury duty time, leave will be provided as unpaid time off. The employee serving unpaid jury/witness duty may use accrued vacation and/or PTO time during the unpaid portion of the leave.

Proof of attendance from the court is required to receive jury/witness duty pay. When an employee is excused from jury or witness duty in time to work for half or more of the normal work day, the employee is required to work the rest of that day.

#### **Bereavement Leave**

Time off with pay due to a death in the immediate family of a regular, introductory full-time employee may be granted for a period up to five days per occurrence. Regular, introductory and part-time employees may be granted bereavement leave pro-rated based on the percent of time regularly scheduled to work. For purposes of this policy, "immediate family" means mother, stepmother, father, stepfather, husband, wife, registered domestic partner, son, stepson, daughter, stepdaughter, grandparent, grandchild, brother, brother-in-law, sister, sister-in-law, foster parent, foster child, mother-in-law, and father-in-law, or any other person sharing the relationship of in loco parentis with the employee.

Temporary employees may request unpaid time off for bereavement leave. Please contact Human Resources if you need to take Bereavement Leave.

#### **State Disability Insurance (SDI)**

F5AC employees who are unable to work due to illness, injury, or pregnancy disability may be eligible for disability benefits through State Disability Insurance (SDI) for the time they are

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unable to work. SDI is an employee paid benefit that provides to employees deemed eligible by the state partial replacement of wages lost because of a disability not caused by work. The determination of benefits is up to the state Employee Development Department (EDD). The first seven calendar days of an employee's absence are generally considered a "waiting period," and SDI benefits are not paid during that period. Information and claim forms are available from the local EDD office or the EDD website.

### **Paid Family Leave (PFL) & Paid Parental Leave**

The state-administered Paid Family Leave (PFL) insurance program is an employee-paid benefit that provides to employees deemed eligible by the state partial wage replacement when an employee is taking approved time off work to care for a seriously ill family member (as defined by the state), or to bond with a newborn or newly-placed child.

The state Employee Development Department (EDD) determines your benefits. Information and claim forms are available from the local EDD office, or from the EDD website.

As a special benefit to regular employees, F5AC offers additional parental leave compensation. When a regular employee is taking an approved leave to bond with their newborn, an adopted child or a child placed in foster care, the regular employee is compensated up to 100% of their regular pay for the period they are also receiving PFL benefits. Employees requesting this special additional compensation must provide the PFL Notice of Computation from the EDD to Human Resources.

### **Coordination of Benefits**

If an employee is receiving State Disability Insurance ("SDI"), Paid Family Leave ("PFL") or Workers' Compensation benefits, and the employee has not exhausted their accrued paid benefits from the employer, F5AC will coordinate the outside paid benefit with the employee's accrued paid benefit (to the extent permitted by law) so that total compensation does not exceed the employee's regular wages for that pay period. Employees must communicate to Human Resources the outside benefit amounts and dates paid.

## **Part Six: Leaves of Absence**

F5AC provides unpaid leaves of absence to eligible employees in a variety of circumstances. Information concerning legal requirements applicable to legally-required leaves of absence is posted in the workroom. Employees who are considering requesting a leave of absence are encouraged to meet with the Human Resources Administrator as early as possible to discuss the details of the leave and to coordinate the integration of benefits and payroll.

Employees may request a leave of absence without pay for reasons including, but not limited to: personal or family illness, qualifying exigency arising from a call to active duty, or justifiable personal or other reasons, or any reason required by law. "Without pay" means that F5AC does not pay for time on leave, other than the accrued, unused vacation, PTO, and/or paid sick leave that the employee uses consistent with F5AC policies. The employee must submit a written request to their supervisor as far in advance of the leave as possible. Generally, no benefits or seniority will accrue during any unpaid portion of the leave. Human Resources will explain to employees requesting unpaid leave how to continue health plan coverage while on a leave of absence.

The Following General Information is Applicable to All Unpaid Leaves:

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## Leave Requests

As soon as an employee learns of the need for a leave of absence, the employee should submit a written leave request to Human Resources. Request forms are available from Human Resources and on the F5AC intranet. If the need for the leave is foreseeable, employees are required to provide at least 30 days' advance notice. Approval of the leave may be delayed if timely notice is not provided. If the employee learns of the need for leave fewer than 30 days before the leave is needed, the request must be made as soon as possible.

## Medical Certification

Human Resources will notify the employee if medical certification is required for a requested leave to be approved. If the reason for leave is the employee's own injury or illness, medical certification of the employee's ability to return to work, with or without any work restrictions, at the conclusion of the leave is required before the employee will be permitted to return.

## Concurrent Leaves

If an employee is on a leave that qualifies under more than one law (e.g. leave for a serious health condition under the FMLA/CFRA that is also a Workers' Compensation injury), the leave time will run concurrently to the extent permitted by law.

## Unpaid Leaves

The most common types of unpaid leaves are described below. Please see Human Resources for additional information about any leaves, or if you have a need for leave that is not covered by the descriptions below.

## Family/Medical Leave under the Family Medical Leave Act and California Family Rights Act ("FMLA"/"CFRA")

Eligible employees may request an unpaid leave of up to 12 workweeks in a rolling 12-month period for any of the following reasons:

- To care for the employee's child after birth, or following placement for adoption or foster care ("baby bonding");
- To care for the serious health condition of the spouse, registered domestic partner, child, or parent of an employee;
- For the employee's serious health condition; or
- To handle "qualifying exigencies" arising out of the fact that the employee's spouse, registered domestic partner, child, or parent is on active duty, or is called to active duty, in support of contingency operations as a member of the National Guard or Reserves.

In addition, eligible employees may be entitled to take a leave of up to 26 weeks in a 12-month period to care for a spouse, registered domestic partner, parent, child, or next-of-kin who has sustained serious illness/injury in the line of military duty.

Eligible employees are those who have at least one year of service with F5AC, and who have worked at least 1,250 hours in the 12-month period before the date the requested leave will begin.

Generally, employees taking FMLA/CFRA leave must use accrued paid sick (if applicable), PTO, and vacation time during the leave. The exceptions to this are:

- Employees on FMLA/CFRA leave for their own serious health condition and who are receiving temporary disability benefits (e.g., SDI) or workers' compensation benefits may elect to use their paid leave to supplement their disability benefit up to an amount that, when combined with the disability benefit, does not exceed their regular pay for the pay period.
- Employees taking leave to care for a family member or for baby bonding are required to use accrued vacation or PTO. They are not required to use accrued sick leave.

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- Employees on leave for pregnancy disability concurrently to FMLA may elect to use PTO or vacation time during the leave.

Employees on approved FMLA/CFRA leave retain their employer-paid health insurance.

When an authorized FMLA/CFRA leave expires, employees will be returned to the same position or to a comparable position to the extent required by law.

**Non-FMLA/CFRA Medical/Family Leave**

Employees who are not eligible for leave under the FMLA/CFRA may nonetheless request a leave for any of the reasons allowed for FMLA/CFRA leaves. The employee must provide evidence of one of the reasons for leave as stated in the FMLA/CFRA and provide 30 days’ notice if the need for the leave is foreseeable.

If approved, in most cases, leaves of this type will not exceed a maximum duration of eight (8) work weeks within a rolling 12-month period. Generally, employees must exhaust any and all accrued sick leave (if applicable), PTO, and vacation time during the leave.

An employee whose medical condition temporarily precludes them from working may request an unpaid medical leave of absence as a reasonable accommodation.

F5AC will generally require the employee to provide reasonable medical documentation from a health care provider verifying the employee’s temporary inability to work. The duration of leave will depend on the circumstances involved, which F5AC will evaluate on a case by case basis. Employees on leave must exhaust accrued paid sick, PTO, and vacation time during the leave.

Employees who have active health insurance with F5AC at the time they request this leave, will continue to be covered by health insurance through the end of the month when the unpaid portion of their leave begins. Afterwards, employees may continue coverage under F5AC’s group insurance plans at their own expense pursuant to COBRA.

When an authorized leave ends under this section, employees will be returned to the same, or to a comparable, position to the extent required by law.

**Pregnancy Disability Leave (“PDL”)**

Employees who are disabled and unable to work due to pregnancy, childbirth, or a related condition are eligible to request a leave up to four months per pregnancy. PDL does not need to be taken all at once but can be taken on an as-needed basis as certified by the employee’s health care provider.

Employees on PDL retain their employer-paid health insurance during their approved leave (e.g., up to a maximum of four months). Eligible employees who take CFRA leave for baby bonding (or other qualifying reason) following their PDL leave, may receive employer-paid health insurance for up to an additional 12 workweeks.

Employees returning from approved PDL will be returned to the same, or a comparable position, to the extent required by law.

**Workers’ Compensation Leave**

Employees who are temporarily unable to work due to a job-related illness or injury may be eligible for a leave of absence until the earlier of the following:

- The employee is released to return to work; or
- The employee is determined to be permanently unable to return to their usual duties.

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Employees must exhaust all accrued sick, vacation, and PTO during this leave. The exception to this is that employees receiving workers' compensation benefits whose leave runs concurrent with FMLA/CFRA leave are not required to use their paid leave but may elect to do so.

Employees who are covered by F5AC health insurance at the time their leave commences, and who do not have FMLA/CFRA leave running concurrently, will remain covered by F5AC health insurance coverage through the end of the month when the unpaid portion of their leave begins. Thereafter, employees may generally elect to continue coverage under F5AC's group insurance plans at their own expense pursuant to COBRA.

Employees returning from workers' compensation leave will be returned to the same, or a comparable position, to the extent required by law.

### **Personal Leave of Absence**

F5AC may grant time off without pay to an eligible employee who requests time off for personal reasons and who has exhausted their accrued paid vacation and PTO leave. Time off granted in this circumstance, if any, is limited to a maximum of three (3) days. If an employee needs additional time away from work, the employee should request a Personal Leave of Absence.

F5AC may consider granting a personal leave of absence without pay. Personal leaves are limited to a maximum of two months in any two-year period (measured in a rolling 24-month period). Personal leaves may generally not be added to any of the previously described leaves.

All regular employees of F5AC who have completed their introductory period may request an unpaid personal leave of absence. Job performance, attendance, and work/program requirements are all taken into consideration before a request is approved. Requests for unpaid personal leave may be denied or granted by F5AC within the sole discretion of the Agency.

Personal leaves of absence must be requested in writing, and 30 days' advance notice is required if the need for leave is foreseeable. All requests must first be reviewed and recommended by your supervisor and the Human Resources Administrator and approved by your director.

Employees are required to exhaust any and all accrued sick (if applicable), vacation, and PTO time prior to requesting an unpaid personal leave of absence.

Employees who have active health insurance with F5AC at the time of their unpaid personal leave will have paid health insurance coverage through the end of the month when the unpaid portion of their leave begins. Thereafter, employees may continue coverage under F5AC's group insurance plans at their own expense pursuant to COBRA.

An employee is required to return from the personal leave on the originally scheduled return date. If the employee is unable to return, they must request an extension of the leave in writing within five (5) business days before expiration of the leave, explaining the reason for and requested duration of the additional leave sought. If the leave is not extended, the employee must return to work on the originally scheduled return date or be considered to have voluntarily resigned from employment. Extensions of leave are considered only on a case-by-case basis.

Upon expiration of an approved personal leave, the employee will generally be returned to the same or comparable position, but there is no guarantee of reinstatement following a personal leave.

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### Catastrophic Sick Leave Bank

An employee may be eligible to receive voluntary donations of paid leave from other employees if they have suffered a catastrophic illness or injury, or if they must care for an immediate family member (as defined in the Sick Time policy in this Handbook) who has suffered a catastrophic illness or injury. Catastrophic illness or injury is a critical, terminal medical condition or a long-term major physical impairment or disability that temporarily prevents the employee from working their usual hours, or from working at all.

The Catastrophic Leave (“CL”) Program is designed to be as confidential as possible and is strictly voluntary. Employees who donate paid time off benefits to the CL bank will be made aware of the dollar value of their donation to the bank. The recipient of CL benefits will be made aware of the value of their benefits received from the CL bank. Individual donations, and the identities of donors and recipients of benefits, are confidential, will not be disclosed except on a need-to-know basis for administrative purposes.

Any regular F5AC employee working 20 or more hours per week is eligible to participate in the CL Bank, either by donating paid vacation leave, or by requesting a donation. The donor employee may donate accrued paid vacation time only. No other paid time off may be donated to the CL bank. The donor’s hourly value of paid vacation time donated will be converted into a dollar value and deposited into the bank. Subsequently, CL leave will be withdrawn from the bank and converted into paid sick hours to be granted to eligible requesting employees.

To be considered for a CL Bank donation, the requesting employee, family member of the requesting employee, or another person designated in writing by the requesting employee must submit a request for donation to Human Resources. Human Resources administers the Catastrophic Leave Bank.

The requesting employee must provide a medical verification of the employee’s qualification for this CL program, including an explanation of the employee’s work limitations and estimated date of return to work, if applicable. If the employee requesting CL benefits has left work to care for a critically ill family member, they must provide medical documentation confirming the critical illness/injury of the family member, the need for the employee’s care, and the expected duration of the care period is required for the family member.

The determination of whether to award employee donations from the CL bank will be at F5AC’s sole discretion and will be final (e.g., not subject to challenge).

While the CL bank donation request may be initiated prior to the anticipated date of the exhaustion of paid leave balances, the requesting employee is not eligible to receive and use donations when they have paid leave available. No retroactive requests will be permitted (e.g., employees will not be granted donations for time off already treated as unpaid leave). Exhaustion of paid leaves alone is not justification for requesting a donation from the catastrophic leave bank.

A requesting employee may be eligible to receive up to a total of 40 working days of donated CL time throughout the tenure of their employment. Donations are considered on a first-come, first-served basis. Donations from the bank may be received only if there are funds available in the bank.

Periodically, F5AC may notify all employees that they may choose to donate to the bank, particularly at year-end.

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Donations are made in half day increments. Once the donation is made, and deposited in the CL Bank, it is a final transaction and cannot be retrieved by the donating employee. The maximum donation in a calendar year is ten donor days per employee, except spouses or registered domestic partners, both employed by F5AC, may donate unlimited amounts of paid vacation time between one another. In any case, donations that would result in vacation leave balances falling below 40 hours are not permitted.

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## Part Seven: Work Hours & Pay

### Pay Periods

For all employees, the standard pay period is biweekly. Employees are paid every other Friday. If the payday falls on a holiday, employees generally receive pay on the prior work day.

### Work Schedules

The regular work schedule is from 8:30 a.m. to 5:00 p.m. Monday through Friday. Some employees may have different work hours and/or a 9/80 Schedule if agreed in writing by the employee and their supervisor, and reviewed/approved by Human Resources. Any alternate work schedule is subject to the demands and limitations of the job and department.

### 9/80 schedule

Any regular full-time employee scheduled to work at least 40 hours per week is eligible to request a 9/80 schedule. A 9/80 schedule allows an employee to work 9 days, instead of 10 days, in a 2-week pay period. This schedule typically consists of: eight 9-hour days and one 8-hour day, with every other Friday off, in a single 80-hour pay period. : Five days on one calendar week and 4 days the following calendar week. Eight of the days are 9 hours and one day is 8 hours. Employees on this schedule receive one day off per 80-hour pay period. Employees approved for this schedule sign a written 9/80 agreement and cannot accumulate 9/80 days off. Hourly employees cannot change 9/80 days off. Exempt Employees may need to adjust their Flex days due to organizational needs or their manager's request.

### Meal Periods

Non-exempt employees who work five (5) hours or more should take an unpaid lunch break of a minimum of thirty (30) minutes (up to one (1) hour if desired) towards the middle of their work day. No work should be performed during the unpaid meal period. On the rare occasion when work requirements of F5AC make it impossible for the employee to be completely relieved of all duties during their lunch break, the employee must note this on the time card, and inform their supervisor, and they will be paid for their meal period. Employees may not skip meal breaks to shorten the workday without prior approval from their supervisor.

### Timekeeping Requirements

Non-exempt employees must accurately complete and submit time sheets to be approved by their supervisor or manager for each pay period. Non-exempt employees record actual hours worked and any paid or unpaid leave taken during the period; non-exempt employees must report all hours worked and are prohibited from performing any work "off the clock."

Exempt employees should accurately complete a time sheet for each pay period showing their regular work schedule and any paid or unpaid leave taken.

### Overtime Pay



F5AC provides overtime compensation to non-exempt employees for all hours worked in excess of 40 hours per workweek. All overtime must be approved in advance by the supervisor and the Director of Operations and Technology.

At the option of the employee, F5AC offers compensatory time off (CTO) as a substitute for overtime pay. For all hours worked in excess of 40 in the workweek, the employee may elect to receive CTO at the rate of one and one-half hours of paid time off for each hour of overtime worked, up to a maximum of 240 CTO hours. Any employee wishing to receive CTO instead of overtime compensation must have a written CTO agreement on file with HR in advance of performing the overtime work. When the employee takes off the compensatory time earned will be determined between the employee and the supervisor; however, employees are encouraged to take compensatory time off as soon as possible after it is earned. F5AC does not unreasonably deny such requests.

Taking paid time off work, such as vacation, PTO, holiday, and sick time, does not constitute hours worked for the purposes of computing overtime.

### **Bilingual & Trilingual Pay**

If an employee is required by their job duties to use a second or third language at least 20% of the time on the job (in the sole determination of F5AC), the employee or the employee's supervisor may request [of whom?] that the employee be provided bilingual or trilingual pay.

Prior to any recommendation or approval for this special pay, the employee must first pass a language proficiency exam administered through F5AC's designated testing agency. A passing score is 70%. If the eligible employee passes the test, and F5AC approves, an additional taxable earning will be added to the employee's paycheck each pay period in an amount consistent with the Alameda County bilingual or trilingual pay rate.

Supervisors must contact Human Resources to schedule testing for eligible employees. Supervisors must also confirm, on an annual basis, that the employee is continuing to use the second/third language at least 20% of the time and must annually reauthorize bilingual/trilingual pay, if appropriate.

## **Part Eight: Workplace Health & Safety**

### **Drug-Free Workplace**

As part of F5AC's ongoing commitment to a safe and healthy workplace, we maintain a drug-free workplace. Any employee who reports to work while under the influence of drugs or alcohol runs the risks of endangering their safety and the safety of others, destruction of or damage to personal property or F5AC property, and a loss of productivity and workplace morale.

All employees of F5AC are required to understand and comply with F5AC's drug-free workplace policy. Employees either in our offices, or conducting business on behalf of F5AC regardless of location, are prohibited from the following:

- Use, possession, purchase, sale, manufacture, distribution, transportation, or dispensation of alcohol or drugs. (The sole exception to this is the appropriate use or possession of prescription or over-the-counter medication that does not impair the ability to work safely and effectively.)
- Reporting to work, or working, while under the influence of alcohol or drugs.

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If an employee is taking prescription or over-the-counter medications that may impair their ability to work safely or effectively, the employee should inform the supervisor of that fact prior to commencing work.

### **Smoking**

Smoking, including the use of e-cigarettes, is prohibited in all F5AC offices, and while conducting F5AC business, regardless of location.

## **Part Nine: Work Practices and Environment**

### **Punctuality & Attendance**

If employees are unable to work as scheduled, they must so inform their immediate supervisor prior to the start of the work day or, in any event, no later than one hour following their regularly scheduled start time. Employees must also keep their supervisor informed about the expected length of time away from work.

Employees are expected to be responsible and demonstrate respect for fellow employees by establishing a record of punctuality and regular attendance. These are factors considered in evaluating overall job performance.

Unexcused or frequent lateness or absenteeism is not permitted.

### **Facilities & Property Use**

Employees are expected to treat F5AC facilities and property with respect and to keep their work area and common areas clean and well-maintained. F5AC equipment use is limited to work-related purposes. Employees must have written supervisory approval prior to removing any F5AC property from the premises. Employees may decorate their own work spaces, as long as decorations are consistent with F5AC policies and project a professional image appropriate to our work. Employees must have Office Manager approval before making any changes to public spaces or common areas.

### **Visitors**

All visitors must sign in and out at the front desk, and receive a visitor badge to wear in the office. Visitors should stay in the reception area until escorted by an employee. Please keep non-work-related visitors to a minimum to be mindful of interruptions to coworkers.

### **Security**

F5AC strives to provide a secure work environment for our employees, volunteers, clients, and visitors. Our building is equipped with an alarm system that is activated during non-business hours, and exterior doors (except the front entrance and conference center entrance which are unlocked during business hours) are locked at all times. You are required to comply with all F5AC security procedures and immediately report any security breach to your supervisor.

We encourage employees to be prudent about bringing personal items to work. F5AC is not responsible for losses resulting from property theft.

Immediately report lost or stolen keys/fobs or missing F5AC property to your supervisor. Copying or giving F5AC keys/fobs, alarm codes, or lock combinations to an unauthorized individual is strictly prohibited.

### **Breastfeeding-Friendly Workplace**

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F5AC recognizes that breastmilk is the optimal food for infants' growth and development, and encourages all employees to have a positive, accepting attitude toward working women and breastfeeding. F5AC promotes and supports breastfeeding and the expression of breastmilk by breastfeeding employees.

F5AC provides:

- Information about breastfeeding support prior to employees' leave for pregnancy disability or related condition.
- Reasonable time to express milk or breastfeed. Supervisors are encouraged to consider flexible break times, schedules, or other reasonable accommodation to meet employees' needs.
- A designated Lactation Room, furnished with an electrical outlet, refrigerator for breastmilk storage, comfortable seating, a table, and appropriate furnishings/signage to ensure privacy.

### **Children in the Workplace**

F5AC values family and work-life balance and strives to create an employee-friendly workplace. Our employment policies and benefits reflect our beliefs. F5AC also believes in creating an environment that is conducive to work and generally should not be used in lieu of child care.

While we are sensitive to our employee's childcare needs, it is not appropriate for minor children and other minor relatives of employees to be in the workplace during working hours, except for brief visits. This policy has been adopted to minimize potential liability to F5AC, the risk of harm to children, and decreased employee productivity due to distractions and disruptions.

We recognize that there may be occasions when childcare is not available and work demands are such that the employee needs to be available for work. In those situations, the employee may request to work from home on a temporary basis, or, if the work must be done in the office, may request to bring in their child(ren) for a short period of time. In those rare cases where children are in the workplace, they must be directly supervised by the parent at all times. In the interest of maintaining the health and well-being of all F5AC employees, children who are ill must not be brought to the workplace. Employees may consult F5AC's Employee Assistance Program for assistance with finding emergency care providers to care for sick children.

### **Remote Work**

Remote Work is a pre-authorized arrangement where some of the employee's work is performed at home. Remote Work is a privilege that may be appropriate for some employees and some jobs. It is not an entitlement or Agency-wide benefit. A Remote Work arrangement in no way changes any other terms or conditions of employment with F5AC.

Remote Work can be short-term, such as occasionally working from home for a short-term project with the pre-approval of the supervisor/manager, or long-term as described below. All Remote Work arrangements are made on a case-by-case basis at the discretion of the supervisor and are memorialized in writing in advance. The specific work to be performed and the projected amount of time expected before permission is granted, even for short-term Remote Work arrangements. All employees who work remotely are responsible for a safe home workplace, and for taking appropriate steps to safeguard F5AC confidential information. Non-exempt employees working remote are required to reporting hours worked timely and accurately.

Requests for a Remote Work arrangement are considered on a case-by-case basis when an employee's work can reasonably be carried out from home without unduly impacting either the employee's own level of work productivity or that of their fellow employees. In general, Remote Work requests are considered only for employees who have passed their probationary period,

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have received above satisfactory performance reviews, and have demonstrated their ability to manage their work independently. Due to the high degree of interaction required for most positions at F5AC, Remote Work schedules are generally limited to one (1) day per week, or a maximum of 25% of the employee's regularly scheduled work hours.

Requests for Remote Work arrangements must be made using F5AC's Remote Work Application Form and require approval by the supervisor, Senior Administrator (if applicable), and HR Administrator. If the Remote Work arrangement is approved, the employee will be required to sign a Remote Work Agreement and complete a self-certification safety and security checklist before beginning remote work.

If approved, any Remote Work arrangement made will be on a trial basis for the first three (3) months. Remote Work arrangements are reviewed by the employee and supervisor at least annually and can be terminated at any time by either party, even during the initial three-month period.

The remote work policy above has been altered due to COVID to remove the need to request for a Remote Work arrangement but it is not altering the employees work duties, hours or level of performance. This is temporary and may change at anytime without warning.

#### **Personal Automobile Use**

Prior to using their personal vehicle for work, employees must have supervisory approval and provide a copy of their driver license and proof of personal automobile insurance (with required minimum coverage for property damage and public liability). Employees who use their own automobiles for travel on authorized F5AC work will be reimbursed for mileage at the rate established by the Internal Revenue Service.

Use of the personal vehicle for work does not include the normal commute between work and the employee's home.

#### **Attire**

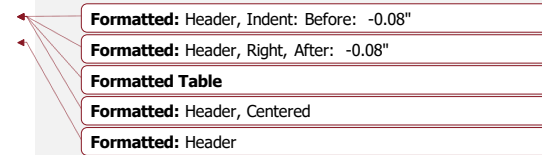
Attire at F5AC should enable our employees to be comfortable in the workplace, while also projecting a professional image to co-workers, clients, partners, volunteers, and the general public.

The following guidelines have been developed to provide general parameters for appropriate work attire and to help you exercise good judgment about items not specifically addressed. A clean and neat appearance should be maintained at all times. In all situations, clothing should be comfortable and practical for work, but not distracting, revealing or offensive to others. Torn, frayed, ripped, messy or overly casual clothing are not considered appropriate for the office.

Employees may observe dress and/or grooming practices consistent with their religious beliefs, and employees requiring special clothing accommodation for any reason should advise their supervisor or Human Resources in advance. Supervisors, in collaboration with HR, are responsible for interpreting and monitoring dress and grooming standards, including counseling employees whose attire is inappropriate.

#### **Expense Reimbursement**

Reasonable and customary expenses incurred in the performance of one's job will be reimbursed. Reimbursement requires prior authorization by the employee's immediate supervisor, written approval, itemized actual expenses, and the employee's signed expense reimbursement form with all required documentation/receipts attached. Employees should consult the Finance team or the F5AC Procedures Manual for specific instructions.



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## References

F5AC provides limited reference information about current and former employees to prospective employers. References may only be provided by Human Resources. Any employee who receives a request for references or information about any current or former employee must refer this request to Human Resources.

Upon receiving a written request, and a signed authorization by the employee, F5AC only discloses employment dates, job titles and final/current earnings.

## Part Ten: Communication & Technology

### Technology, Voicemail and Email

F5AC employees are permitted to use F5AC's voice mail, electronic mail, computers, networking sites and internet access (collectively "Technology Systems") to communicate with others for work purposes. The email system is primarily used for F5AC or work-related email, and not for personal purposes. Minimal personal use is permitted, provided any use is during non-working time only, and that it does not interfere with the employee's work responsibilities. Employees are not permitted to use F5AC's Technology Systems to send jokes, comments or information to others that may be perceived as discriminatory, harassing, offensive, or disruptive, or otherwise in violation of any F5AC policy. Any technology provided by F5AC may not be used to send material that disparages an individual, company, or business entity, or to disclose personal or confidential information without authorization.

Employees may not install, copy, stream, or download software onto F5AC computers unless authorized by the IT team. Employees are also prohibited from downloading personal files onto work computers.

Employees do not have any right or expectation of privacy in any F5AC Technology Systems, including email or documents created on, maintained on, sent to, or received by, F5AC computers or transmitted via F5AC's servers and networks. F5AC may monitor and/or search the contents of all voice mail, computer files, and electronic communications (including email) to promote the administration of F5AC operations and policies or for any other business reason.

### Social Media

F5AC has a social media presence and we encourage our employees to connect to help spread the word about the great work that we're doing and the services and support that are available to children and families in Alameda County. Use of social media presents certain risks and carries responsibilities.

*Social Media* includes all means of communicating or posting information or content of any sort on the Internet whether or not associated or affiliated with F5AC. The same principles and guidelines found in F5AC's policies apply to your activities online that may relate to F5AC. Ultimately, you are solely responsible for what you post online. Keep in mind that any conduct on social media or otherwise that adversely affects your job performance, the performance of fellow employees, or otherwise adversely affects staff, volunteers, contractors/grantees, vendors, or any other people who work on behalf of or receive services from F5AC is not permitted.

Employees are expected to ensure their social media postings that may relate to F5AC are consistent with these and all other F5AC policies.

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### Always be respectful

Always be fair and courteous to fellow employees, volunteers, contractors/grantees, vendors, or other people who work on behalf of or receive services from F5AC. Remember that colleagues, supervisors, and agency partners often have access to the online content you post. Keep in mind that you are more likely to resolve any work-related complaints by speaking directly with your co-workers or by utilizing our Open-Door Policy than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism that may relate to F5AC, avoid any content that could reasonably be viewed as unlawful, malicious, obscene, threatening or intimidating, that disparages employees, volunteers, clients, contractors/grantees or vendors, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant intentionally to harm someone's reputation or posts that could contribute to a hostile work environment.

### Be honest and accurate

Make sure you are always honest and accurate when posting information or news that may relate to F5AC, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false.

### Be conscious about mixing your work and professional lives

- Maintain the confidentiality of F5AC's confidential, private, or sensitive information (see the Confidentiality policy contained in Part Eleven of this Handbook for examples). Do not post internal reports or memos, policies, procedures or other internal business-related confidential or sensitive communications.
- Do not create a link from your blog, website or other social networking site to a F5AC website without identifying yourself as a F5AC employee.
- Express only your personal opinions, and never represent yourself as a spokesperson for F5AC. If F5AC is a subject of the content you are creating, be clear and open about the fact that you are an employee of F5AC; make it clear that your views do not represent those of F5AC and you are not speaking on behalf of F5AC. 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 F5AC."
- Do not use your F5AC email address to register on social networks, blogs, or other online tools utilized primarily for personal/social purposes.
- Refrain from using social media while on work time or on F5AC's Technology Systems, unless it is work-related as authorized by your supervisor or consistent with F5AC's Technology Use Agreement.

### F5AC's social media presence

The Communications team is primarily responsible for our Social Media presence. Only designated staff may post content on F5AC-affiliated social media sites. Employees who have ideas, suggestions, or resources for posts are encouraged to share them with the Communications team.

### Employee Information & Records Inspection

It is important that employee files are current. Employees should update their information in the HR system (address, phone, emergency contacts, etc.) and inform Human Resources when there are changes, such as marital status, domestic partnership, and number of dependents, that may affect pay or benefits.

Employees have the right to inspect employee records relating, e.g., to their performance or to any grievance concerning them, or otherwise as permitted by law. Employees wishing to inspect personnel records may do so during regular office hours, after a written request is made to the

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Human Resources Administrator. An inspection request form is available from Human Resources and also on the F5AC intranet that employees may use to make their request. Records will be made available for inspection within 30 days of receipt of the written request. An appointment to inspect the file is made with the Human Resources team, who is present with the employee while they inspect the file. Employees may receive copies, at their own cost, of any document in their employee file to the extent required by law. Employee records are the property of F5AC and are not allowed to be taken from Human Resources without prior written authorization.

### Internal Communication

We use bulletin boards, mailboxes, meetings, intranet, and email to regularly communicate important F5AC information. Each of our employees is responsible for reading posted or distributed information.

### Media Relations

Employees should not respond to any inquiries or requests received from the media for comments or statements on behalf of F5AC. Instead, employees should refer requests to the Chief Executive Officer or, if the CEO is unavailable, to the Communications Specialist. The CEO will respond directly or designate another staff member to serve as the F5AC spokesperson.

## Part Eleven: Conduct

### Workplace Conduct

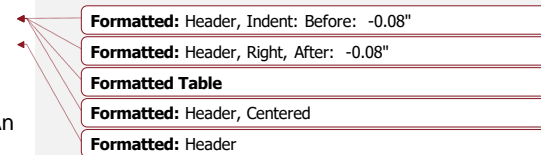
F5AC requires employees' cooperation, efficiency, productivity, and compliance with all policies and procedures. We treat each other with dignity and respect at all times at work and in work-related situations.

Some examples of conduct that may result in disciplinary action, up to and including immediate termination, include, but are not limited to:

- Substandard job performance
- Unauthorized or frequent tardiness or absenteeism
- Rudeness or discourtesy or disrespect toward a fellow employee, supervisor, volunteer, supporter, or member of the general public
- Fighting, roughhousing, bullying, or engaging in violent or threatening language or gestures, or conduct that is abusive, hostile, or disrespectful (such as slandering or ridiculing others, making false accusations, humiliating others in public, or shunning/ostracizing others, etc.)
- Theft of or unauthorized use of F5AC or a coworker's property
- Disregarding established safety or security procedures, or creating an unsafe work situation for anyone
- Refusing to perform a work-related task when directly instructed to do so by a supervisor or member of management
- Possessing a weapon or firearm on F5AC's property
- Violating F5AC policy prohibiting workplace discrimination, harassment, and retaliation, or violating any other F5AC policy

### Open Door Policy

F5AC has an open-door policy that encourages employee participation in decisions affecting them and their daily professional responsibilities. Employees who have a different opinion, misunderstanding or conflict with another F5AC employee are encouraged to address the situation directly with the employee(s) involved, if it is appropriate and safe to do so. We also



encourage employees who have job-related problems or complaints to talk them over with their supervisor or a manager at any level of management. We believe that employee concerns are best addressed through informal and open communication.

To the extent possible, F5AC maintains confidentiality in addressing and resolving concerns brought to its attention. However, while investigating and resolving concerns, some information will likely be shared on a need-to-know basis.

No employee will be retaliated against for raising a concern in good faith.

### Disciplinary Procedures

While F5AC may use any disciplinary step, it concludes is appropriate given the circumstances, including immediate termination, any, all, or none of the following disciplinary steps may be taken, as appropriate:

- **Record of Counseling:** The supervisor counsels the employee, generally following a relatively minor offense to communicate or clarify acceptable conduct or performance. Counseling records are documented by the supervisor and placed in the employee's employee file. They are signed by the employee to acknowledge receipt of the Record of Counseling.
- **Written Warning:** The supervisor presents the written notice of corrective action, or written warning, to the employee in person. A written warning includes a description of the misconduct or performance problem, degree of seriousness and the consequences if the problem is not corrected. Written warnings are signed by the employee to acknowledge receipt and placed in the employee's file.
- **Suspension:** Employees may be suspended without pay for a period of time for relatively serious offenses at the sole discretion of F5AC.
- **Discharge:** Termination can result from a single, serious offense, or it can be the final step in a process designed to correct offenses or performance problems. It can also occur as the result of conduct inconsistent with F5AC policy.

Other disciplinary steps not described above may or may not be taken, depending on the circumstances. Supervisors are required to consult with the Human Resources Administrator prior to taking or recommending any step of the progressive discipline process, including discharge.

The use of any of the above disciplinary procedures in no way alters the at-will employment relationship.

### Conflict of Interest

It is important that employees avoid conflicts of interest. A conflict of interest is a situation where an employee's personal or economic interest interferes or may interfere with, influence, appear to interfere or influence, or is, in the judgment of F5AC, incompatible with the employee's duties and responsibilities at F5AC or with F5AC's general activities. A conflict may exist even if the conflict or incompatibility has no adverse impact on job performance.

In compliance with California's Political Reform Act, designated employees complete a Statement of Economic Interests (Form 700) within 30 days of hire, annually and within 30 days of terminating employment.

If employees have outside employment, they must advise their supervisor and the Finance Officer.

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Any employee needing advice about a potential conflict of interest should contact the Finance Officer or Human Resources Administrator. Outside employment that may or does create a conflict of interest with the employee's employment at F5AC will not be permitted.

### Confidentiality

Careful custody and handling of F5AC files, documents or materials (in hard copy or electronic format), and especially those files and documents containing confidential information, is critically important to the well-being and success of F5AC and our clients. Each employee is responsible for safeguarding against the theft, loss, and unauthorized use or disclosure of this information and for following F5AC's best practice policies and procedures addressing confidentiality including, but not limited to, HIPAA compliance. Further, employees must not, directly or indirectly, disclose any F5AC-related confidential information to any other person except as necessary to perform their job responsibilities. Employees who have access to confidential information must take all steps necessary to ensure F5AC confidential information is handled, stored, transmitted or destroyed, if appropriate, in a way that protects against loss or misuse, as outlined in F5AC's Confidentiality Procedures Manual.

Confidential matters include, but are not limited to:

- Employee or client names, addresses, telephone numbers, social security numbers, and medical/health information
- Information contained in employee or benefits files, including but not limited to disciplinary action records, performance evaluations, benefit applications, beneficiary information, etc.
- Anything marked "Confidential" or "Personal," such as incoming mail, internal documents marked with these terms, etc.

Private and confidential information should be given or disclosed only those who have both the need and authority to know about the information to properly perform their jobs.

Further, data contained in F5AC web-based applications is also subject to HIPAA compliance and Agency Confidentiality best practices policies as outlined in F5AC's Confidentiality Procedures Manual and training.

Employees are expected to maintain F5AC confidential information as confidential even after separation from F5AC. Employees will, at F5AC's request at any time and/or when employment terminates, return all documents, papers, computer files or storage devices, web application passwords, or any other material in their possession that may contain or be derived from F5AC confidential information.

External requests for documents or information, including those that may be governed by the Public Records Act, must be referred immediately to the Chief Executive Officer, Director of Operations & Technology or Finance Officer.

## Part Twelve: Ending Employment

### Voluntary Termination

In all cases of voluntary resignation (e.g., separation of employment that is voluntarily initiated by the employee), employees are asked to provide a written notice to their supervisor at least 10 working days in advance of their expected last day of work. If F5AC asks an employee who has voluntarily resigned to leave our employ before the end of the notice period (for example, if a replacement is to begin immediately), the employee will be paid for the entire notice period, up to a maximum of two weeks.

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Employees may use available accrued vacation and PTO to extend their employment for up to 4 weeks following their final day in office.

Human Resources will coordinate and/or conduct an exit interview with each employee who voluntarily terminates employment prior to the employee's exit from F5AC. These conversations enable F5AC to gather important information about employee policies and procedures, and the work environment, that may be of benefit to many other employees. Although exit interviews are not mandatory, employees are encouraged to participate in them and to speak frankly about their employment experience with F5AC.

### **Payroll and Returning F5AC Property**

All employees separating from F5AC receive their final paycheck on the next regularly scheduled payroll date. Employees are required to return all F5AC property or equipment to the Human Resources or the Office Manager before leaving on their last day of work.

### **Reduction in Workforce**

In the event F5AC requires a reduction in workforce, guidelines similar to these may be used.

In its sole discretion, F5AC determines: when and whether it is necessary for a reduction in force (RIF); which employees are affected by the RIF; and the implementation method. Generally, we give primary consideration to the program and F5AC's needs and circumstances.

- To reduce the need for a potential RIF, employees may be hired for temporary positions, with the duration of the position dependent on funding. Employees hired for temporary positions are not eligible for severance pay but may be eligible to receive outplacement services at the conclusion of the temporary position.
- F5AC may reduce positions through attrition instead of RIF.
- F5AC may require a furlough (e.g., require employees to work fewer hours per week or take a specified period of time off work without pay). During the period of furlough, F5AC will attempt to maintain employees' health and dental insurance benefits at the same level as they were prior to the furlough for a period not to exceed eighteen (18) months.
- F5AC may reduce positions from full-time to part-time depending on program needs and funding availability. If F5AC reduces a position to part-time, we will attempt to maintain the employee's health and dental benefits at the same level immediately prior to the hours reduction for a period not to exceed eighteen (18) months, and subject to any future changes in the F5AC's benefit package. Employees who voluntarily request a part-time schedule are not eligible for this benefit.
- F5AC may eliminate positions. We will determine if the RIF will occur on an agency-wide basis or in one or more programs, departments, and/or classifications.

### **Length of Service**

An employee's length of service is measured from the original employment date with F5AC (including time as a County employee, Tri-Net employee, Diversified employee, or F5AC employee) as long as there has not been a break in service greater than 30 days (not including leave protected by law. Approved legally-protected leaves do not constitute a break in service).

### **Notice**

Employees selected for RIF through position elimination will be given at least 10 business days' notice of the proposed final employment date.

### **Severance Pay**

If positions are eliminated due to RIF, F5AC may authorize severance pay of two weeks' regular base salary or pay (e.g., the employee's regular base salary or regular straight-time hourly wages for the time period) less applicable tax and other withholdings, for every year of

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continuous service (according to the above length of service definition), not to exceed eighteen (18) weeks of pay. If severance pay is authorized, it will be paid in one lump sum on or after the termination date, and, according to ACERA, is not pensionable.

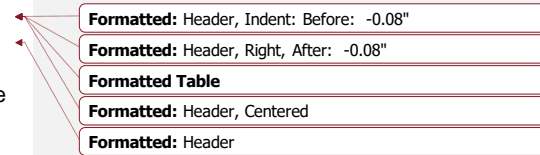
To receive severance pay, if payment is authorized, employees must first sign a waiver releasing F5AC from any and all liability related to their employment with F5AC and their separation from employment. Refusal to sign the waiver within the allowed period and/or lawful revocation of the waiver renders an employee ineligible to receive severance pay.

In addition to severance pay, F5AC may also make a payment equivalent to \$500 per year of service (as defined above in the length of service definition), but not to exceed \$3,000 total, to help with the cost of health insurance. This payment, if authorized by F5AC, will be made in one lump sum, and will be issued at the same as severance pay. To receive the payment described in this paragraph, if authorized, employees must first sign a waiver releasing F5AC from any and all liability from their employment with F5AC and their separation from employment. Refusal to sign the waiver within the allowed period and/or lawful revocation of the waiver renders an employee ineligible to receive severance pay.

If an employee who was previously part of a RIF and received any severance pay is rehired and then subsequently laid off, that employee may be eligible for severance only up to a maximum of eighteen (18) weeks of pay when all severance payments (e.g., from the first and second RIFs) are combined.

#### **Outplacement Services**

Employees whose positions are eliminated in a RIF, or who were hired for temporary positions in connection with a RIF, may be eligible for F5AC outplacement services. These services are designed to help F5AC employees find positions in Alameda County where they can continue to use their skills and expertise on behalf of children aged 0 to 5 years. Outplacement services, if provided, will not exceed three months following the date of separation. F5AC makes no guarantee that utilizing its outplacement services will result in an employment offer.



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## Acknowledgment

I acknowledge that I have received a copy of the First 5 Alameda County ("F5AC") Employee Handbook. I understand that the Handbook contains important information on the general employment policies of F5AC and on my privileges and obligations as an employee. I acknowledge that I am expected to read, understand, and adhere to F5AC's policies, and I understand I am governed by the contents of this Handbook. I further understand that F5AC may change, rescind, or add to any policies, benefits, or practices described in the Handbook, other than the concept of at-will employment. By my signature below, I also acknowledge and understand that employment at F5AC is at-will employment. That is, either I or F5AC may terminate my employment at any time, for any reason or no reason, with or without cause, and with or without advance notice.

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Employee Name

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Employee Signature

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Date

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## Change Log

Item	Date
Original adoption of Employee policies adopted by Commission Handbook Update - Approved by Commission	5/21/2004
Includes addition of fingerprinting under "Work Eligibility", "Tools and Technology"; and "Bilingual Pay". Medical and Dental Insurance sections rewritten to reflect current benefit structure; "Floating Personal Days" and "Personal Use Time" merged under "Paid Time Off (PTO)"; "Unpaid Time Off and Leaves of Absence" section reformatted to include matrix of leaves	5/26/2005
Addition of Catastrophic Leave Bank – approved by Commission	9/29/2005
Year End Manual Clean-up – reviewed by Executive Committee	6/19/2006
Year End Manual Clean-up – reviewed by Executive Committee Includes Addition of Professional Development, Payment in Lieu Long Term Disability, Children in the Workplace, Telecommuting, & References sections; Change in Full Time Status definition, Remove Position Description section	5/22/2008
Formatting Update	2/25/2009
Year End Manual Clean-up – reviewed by Executive Committee Includes addition of Paid Family Leave, Breastfeeding-Friendly Workplace section Addition of Reduction in Workforce section – approved by Commission 12/11/08, with addition of severance pay cap 3/26/09	6/25/2009
Year End Manual Clean-up – reviewed by Executive Committee Includes Addition of Personal Leave of Absence modifications to sick leave policy - approved by Commission on 12/10/09; Deleted Tools and Technology benefit – approved by Commission on 12/10/09	6/24/2010
Year End Manual Clean-up – Reviewed by Executive Committee Addition of Child Abuse Reporting, Confidentiality policies & Temporary Military Duty Leave; Removed Lent to Other Government or Educational Institution Leave	12/8/2011
Deleted ACERA offset benefit – approved by Commission on 12/13/12	12/13/2012
Year End Manual Clean-up – Reviewed by Executive Committee Revisions to Unpaid Leave section, including deletion of the Matrix format, Separation of Pay Periods into Pay Periods and Work Schedules, addition of Reasonable Accommodation Leave, Social Media, Media Relations; Removed Educational, Temporary Military Duty and Military Leaves	5/23/2013
Year End Handbook Clean-up – Reviewed by Executive Committee Consolidation of Medical and Dental Insurance sections, deletion of Wage Garnishments and Appeal of Serious Discipline sections	6/26/2014
Year End Handbook Clean-up – Reviewed by Executive Committee, including modifications to Sick Time to reflect provisions in the Healthy Workplace Healthy Family Act, and to Health and Dental Insurance to reflect provisions in the Affordable Care Act	6/18/2015
Year End Handbook Clean-up – Approved by Commission on 6/16/16 Title change from "Employee Policies and Procedures Handbook" to "Employee Handbook" Addition of "Paid Time Off" usage during Introductory Period Addition to Eligibility of Dependent Children of Temporary Employees; Employer Share of Health and Dental Premiums for Temporary	6/16/2016

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Employees and Their Eligible Dependents; Definition for Eligible Dependents; Vacation Time off Requests; Modification to "Workplace Conduct"	
Addition of \$500 per Fiscal Year for Professional Development, to Be Reimbursed After Completion of Course(s) – Any Unused Funds Will not Carryover	7/20/2016
Addition to Leaves of Absence – Paid Leave, Work Hours and pay – Flex schedule	8/18/2016
Modify Leaves of Absence – Paid Leave	6/15/2017
Week of Christmas Off & 3% Cola Eff. 01/26/18; In Lieu update from \$125 per month to \$137.50 per month - Approved by Commission.	12/14/2017
Year End Handbook Clean-up – Approved by Commission Includes Extension of Employee's Introductory period, modify Leaves of Absence – Unpaid, Paid Sick Time, Workplace Conduct	6/21/2018
Modify Benefits & CA Paid Family Leave – Approved by Commission	12/13/2018
Handbook Clean-up – Approved by Commission, including updates to approval levels and titles, Reasonable Accommodation, Replaced Policy Prohibiting Harassment & Discrimination, Benefits, Added "additional benefits" section, Vacations, Jury Duty, Pay Periods, 9/80 Schedule, Bereavement, Leave Policies and Catastrophic Leave Bank, Paid Parental Leave, Children in workplace, Telecommuting has been renamed Remote Work, Attire, Technology-Voicemail & Email, Social Media, Workplace Conduct, Open-door Policy, Conflict of Interest, Voluntary Employment Terminations, Reduction in Workforce. The following have been removed: References to pre-employment/onboarding processes, sections on Employing Commissioners, Executive Benefits Package, Long-Term Disability, Payroll Deductions, and Parking.	10/17/2019
This section is reserved for the approved changes by Commission for the 2020 handbook review	

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