



FIRST 5 ALAMEDA COUNTY EXECUTIVE COMMITTEE MEETING AGENDA

Thursday, December 8, 2022

Members of the public may access this meeting via:

Zoom Meeting: <https://zoom.us/j/99744176627>

Meeting ID: 997 4417 6627

9:15 AM – 11:00 AM

Commissioners:

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

1. **Public Comment**
2. **Staff Announcements**
 - a. General Staff Announcements
3. **Adopt the 2023 Executive Committee Final Calendar**
Recommended Action: Adopt the 2023 Executive Committee Final Calendar
4. **Approval of Minutes from August 11, 2022**
Recommended Action: Approve Minutes from August 11, 2022
5. **Approval of Minutes from November 2, 2022**
Recommended Action: Approve Minutes from November 2, 2022
6. **Receive Update on AB 2449 Effective January 1, 2023**
7. **Approval of Revisions to Employee Handbook**
Recommended Action: Approve revisions to Employee Handbook
8. **Cost of Living Adjustment Recommendation**
Recommended Action: Recommend Cost of Living Adjustment

CLOSED SESSION

9. **Public Employee Performance Evaluation – Closed Session (held pursuant to Gov. Code §54957)**
Title: CEO
10. **Report on Any Action Taken in Closed Session**
11. **Adjournment**

Information about access:

Please contact Julia Otani at 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.



December 2022

2023 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	SPECIAL COMMISSION 11:00 AM–11:10 AM	EXECUTIVE COMMITTEE 11:00 AM–12:30PM <i>*Unless Otherwise Noted</i>	COMMISSION 9:00 AM–11:30 AM	AGENDA ITEMS (SUBJECT TO CHANGE)
FEBRUARY	Thursday, February 16	Thursday, February 16 <i>*11:15AM – 12:30PM</i>	Thursday, February 23	<ul style="list-style-type: none"> ▪ Election of Officers ▪ Mid-Year Budget Modification ▪ Mid-Year Investment Update
APRIL	N/A	Thursday, April 20	Thursday, April 27	<ul style="list-style-type: none"> ▪ First reading of FY 2023-25 Budget ▪ First reading of FY 2023-25 Strategic Plan ▪ First reading of Long-Range Financial Plan ▪ First 5 CA Annual Report
JUNE	N/A	Thursday, June 15	Thursday, June 22	<ul style="list-style-type: none"> ▪ Final approval of FY 2023-25 Budget ▪ Contract Authorizations ▪ Final Approval of FY 2023-25 Strategic Plan ▪ Final Reading of Long-Range Financial Plan ▪ ACERA 401(h) Approval ▪ GASB 54 Fund Balance Commitment
AUGUST	N/A	Thursday, August 17	Thursday, August 24	TBD
OCTOBER	N/A	Thursday, October 5	Thursday, October 12	<ul style="list-style-type: none"> ▪ FY 2022-23 Financial Audit Report ▪ FY 2022-23 Investment Report
DECEMBER	N/A	Thursday, December 7	Thursday, December 14	<ul style="list-style-type: none"> ▪ F5AC Annual Report to First 5 CA ▪ F5AC Annual Report



**First 5 Alameda County Executive Committee Meeting
August 11, 2022, 9:15 AM – 10:30 AM
Zoom Webinar Meeting ID: 959 0511 9715**

Commissioners Present: Chair: Renee Herzfeld, Vice Chair: Cecilia Oregón, Scott Coffin
First 5 Staff Present: Kristin Spanos, Tyson Jue, Brittney Frye, Christine Hom, Julia Otani

AGENDA ITEM SPEAKER	DISCUSSION HIGHLIGHTS	ACTION	FOLLOW UP
CALL TO ORDER			
C. Oregón	The meeting was called to order by Vice Chair Oregón who gavelled in at 9:16 AM and stated that the meeting was being recorded. Commissioners Herzfeld, Oregón and Coffin stated their names to indicate they were present for the meeting.	None	None
1. PUBLIC COMMENT			
C. Oregón	There was no Public Comment.	None	None
2. STAFF ANNOUNCEMENTS			
K. Spanos	[Attachment] Ms. Spanos presented the General Staff Announcements and CEO Contract Authorizations A. General Staff Announcements <ul style="list-style-type: none"> Ms. Spanos provided an overview of the Staff Update slides. B. CEO Contract Authorizations <ul style="list-style-type: none"> There were 2 contracts approved by the CEO that were between \$100-\$150K since the last Commission meeting. 	None	None
3. APPROVAL OF MINUTES FROM MAY 26, 2022			
C. Oregón	[Attachment] Vice Chair Oregón asked if there was any public comment before taking a vote to approve the minutes. Vice Chair Oregón facilitated the vote to approve the May 26, 2022 Executive Committee Meeting minutes.	Motion: R. Herzfeld Second: S. Coffin No Abstentions. Motion passed.	None
4. APPROVAL OF THE CONTRACT AUTHORIZATION			
C. Hom	[Attachment] Ms. Hom presented the Contract Authorization. Vice Chair Oregón asked if there was any public comment before taking a vote to approve. Vice Chair Oregón facilitated the vote to approve the Contract Authorization.	Motion: S. Coffin Second: R. Herzfeld No Abstentions. Motion passed.	None
5. APPROVAL OF THE UPDATED CONFLICT OF INTEREST CODE			
C. Hom	[Attachment] Ms. Hom presented the Updated Conflict of Interest Code. Vice Chair Oregón asked if there was any public comment before taking a vote to approve. Vice Chair Oregón facilitated the vote to approve the Conflict of Interest Code.	Motion: R. Herzfeld Second: S. Coffin No Abstentions. Motion passed.	None

AGENDA ITEM SPEAKER	DISCUSSION HIGHLIGHTS	ACTION	FOLLOW UP
6. APPROVAL OF THE NEW REVENUE TO BE INCLUDED IN ADOPTED FY2022-2023 BUDGET			
C. Hom	<p>[Attachment]</p> <p>Ms. Hom presented the Approval of the New Revenue to be Included in Adopted FY2022-2023 Budget.</p> <p>Vice Chair Oregón asked if there was any public comment before taking a vote to recommend.</p> <p>Vice Chair Oregón facilitated the vote to recommend the Approval of the New Revenue to be Included in Adopted FY2022-2023 Budget be brought to the full Commission for final review and approval.</p>	<p>Motion: R. Herzfeld</p> <p>Second: S.Coffin</p> <p>No Abstentions.</p> <p>Motion passed.</p>	<p>The Approval of the New Reveue to be Included in Adopted FY2022-2023 Budget will be brought to the full Commission for final review and approval.</p>
7. ADJOURNMENT			
C. Oregón	Vice Chair Oregón gaveled out and adjourned the meeting at 9:51AM.	None	None

Respectfully Submitted By: Julia Otani, Executive Assistant



**First 5 Alameda County Executive Committee Meeting
November 2, 2022, 3:00 PM – 4:00 PM
Zoom Webinar Meeting ID: 891 9041 8593**

Commissioners Present: Chair: Renee Herzfeld, Vice Chair: Cecilia Oregón, Scott Coffin
First 5 Staff Present: Kristin Spanos, Brittney Frye, Julia Otani

AGENDA ITEM SPEAKER	DISCUSSION HIGHLIGHTS	ACTION	FOLLOW UP
CALL TO ORDER			
R. Herzfeld	The meeting was called to order by Chair Herzfeld who gaveled in at 3:05PM and stated that the meeting was being recorded. Commissioners Herzfeld and Oregón stated their names to indicate they were present for the meeting.	None	None
1. PUBLIC COMMENT			
R. Herzfeld	There was no Public Comment.	None	None
2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - CLOSED SESSION (HELD PURSUANT TO GOV. CODE §54957)			
R. Herzfeld	[Attachment] Chair Herzfeld announced that the Executive Committee will move to closed session. The recording of the meeting was paused at 3:07PM. Commissioner Coffin joined the Closed Session Meeting.	None	None
3. REPORT ON ANY ACTION TAKEN IN CLOSED SESSION			
R. Herzfeld	Chair Herzfeld reconvened the open session at 4:05PM. Chair Herzfeld stated that there was no action taken in closed session.	None	None
4. APPROVE EXECUTIVE COMMITTEE MEETING MINUTES FROM SEPTEMBER 6, 2022			
R. Herzfeld	[Attachment] Chair Herzfeld asked if there was any public comment before taking a vote to approve. Chair Herzfeld facilitated the vote to approve the Meeting Minutes from September 6, 2022.	Motion: C. Oregón Second: R. Herzfeld No Abstentions. Motion passed.	None
5. ADJOURNMENT			
R. Herzfeld	Chair Herzfeld gaveled out and adjourned the meeting at 4:07PM.	None	None

Respectfully Submitted By: Julia Otani, Executive Assistant

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MEMORANDUM

TO: First 5 Alameda County Commission

FROM: James C. Harrison, Anna Myles-Primakoff & Quentin Barbosa

DATE: December 2, 2022

RE: New Brown Act Remote Meetings Exceptions (AB 2449)

INTRODUCTION

On October 17, 2022, Governor Newsom announced his intent to withdraw the COVID-19 state of emergency on February 28, 2023. Until the Governor withdraws the state of emergency, the First 5 Alameda County Commission and its Executive Committee may continue to meet remotely or in a hybrid remote/in-person format, if the Commission continues to make the requisite findings pursuant to Assembly Bill 361 (AB 361) regarding public health and safety guidance and recommendations. After the Governor withdraws the state of emergency, the exceptions afforded by AB 361 will no longer be available to First 5 Alameda County and its Executive Committee.

In August 2022, the California Legislature passed Assembly Bill 2449 (AB 2449), amending the Ralph M. Brown Act (the Brown Act) to allow members to participate remotely without noticing their location or making it publicly accessible when they have just cause or the legislative body has approved a request to participate remotely due to emergency circumstances. Governor Gavin Newsom signed the bill into law on September 13, 2022, and the amendments will go into effect on January 1, 2023.

Below, we summarize AB 2449's new teleconferencing provisions. We recommend that First 5 Alameda County consider adopting new teleconferencing policies in light of the anticipated expiration of the COVID-19 state of emergency on February 28, 2023.

DISCUSSION

I. Background

A. Brown Act Remote Meetings Requirements

The Legislature passed the Brown Act in 1953 to guarantee the public's right to attend and participate in meetings of local legislative bodies. The Act protects the public's right to participate in government meetings, including by requiring notice of meetings and

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

publication of meeting agendas and materials and by prohibiting registration or payment of a fee as a condition of attendance.

Under the Brown Act, members of legislative bodies may participate in public meetings from remote locations via teleconferencing. Cal. Gov't Code § 54953(b). Prior to the pandemic and the enactment of AB 361, the following requirements applied to remote participation: (1) the remote location must be connected to the main meeting location by telephone, video, or both; (2) the notice and agenda of the meeting must identify the address of remote location; (3) the remote location must be accessible to the public; (4) all votes must be by roll call; and (5) the meeting must comply with the Brown Act, which includes providing an opportunity for the public to address the legislative body. A quorum of the legislative body must participate from locations within the jurisdiction, but other members may participate from outside the jurisdiction. *Id.*

B. Remote Meetings During COVID-19

Meetings of the First 5 Alameda County Commission and its Executive Committee are subject to the Brown Act. On March 4, 2020, Governor Gavin Newsom declared a state of emergency and suspended certain provisions of the Brown Act to allow local government agencies to meet remotely during the COVID-19 pandemic. AB 361, enacted in 2021, amended the Brown Act to permit local agencies to meet remotely during a proclaimed state of emergency without having to notice the remote locations from which members participate or make those locations accessible to the public, provided the legislative body makes certain findings regarding health and safety. Cal. Gov't Code § 54953(e)(3). AB 361 will remain in effect until January 1, 2024.

First 5 Alameda County and other public agencies have relied upon AB 361 to conduct remote meetings during the COVID-19 pandemic without noticing the locations of the members or making the remote meeting locations accessible to the public. However, the Governor has announced his intent to withdraw the COVID-19 state of emergency on February 28, 2023, after which First 5 Alameda County will no longer be able to rely on the remote meeting exceptions in AB 361. Instead, members will have to attend meetings in person, comply with the Brown Act requirements for noticing remote meeting locations and making them accessible to the public, or participate remotely pursuant to an exception under AB 2449.

II. Changes to the Brown Act Pursuant to AB 2449

AB 2449 was signed into law on September 13, 2022. The law goes into effect on January 1, 2023. AB 2449 amends the Brown Act to allow members of a local agency legislative

body who have just cause or are experiencing an emergency circumstance to participate remotely without noticing their location or making it publicly accessible.

When using teleconferencing, including when members are permitted to use teleconferencing pursuant to one of the exceptions in AB 2449, the legislative body must provide a means for the public to remotely hear and visually observe the meeting and remotely address the legislative body, either by use of (i) a two-way audiovisual platform; or (ii) a two-way telephonic service and a live webcasting of the meeting. Cal. Gov't Code § 54953(f)(1)(A). The agenda for any teleconference meeting must identify how the public may address the legislative body either via a call-in option, via an internet-based service option, or at the in-person location of the meeting. Cal. Gov't Code § 54953(f)(1)(C).

Pursuant to AB 2449, a member of a local legislative body may participate in a meeting remotely without having to identify the member's location in the agenda or make the location accessible to the public if: (1) a quorum of members participate in person from a singular physical location; (2) the singular location is clearly identified on the agenda, open to the public, and situated within the local agency's jurisdiction; and (3) the member has notified the legislative body of the member's need to participate remotely for "just cause", or the member has made a request to participate remotely based on "emergency circumstances" and the legislative body has approved the request. Cal. Gov't Code § 54953.

AB 2449 defines "just cause" as one or more of the following: (i) a childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires a member to participate remotely; (ii) a contagious illness that prevents a member from attending in person; (iii) a need related to a physical or mental disability as defined by statute; or (iv) travel while on official business of the legislative body or another state or local agency. Cal. Gov't Code § 54953(j)(2). "Emergency circumstances" is defined as a physical or family medical emergency that prevents a member from attending in person. Cal. Gov't Code § 54953(j)(1). A member must provide a description of the just cause or emergency circumstances warranting remote participation. Cal. Gov't Code § 54953(f)(2)(A)(ii). If participating remotely because of emergency circumstances, the member must also obtain the legislative body's approval prior to participating remotely. *Id.*

A member may not rely upon AB 2449 to participate remotely for a period of more than three consecutive months or 20 percent of the regular meetings of the local agency within a calendar year, or for more than two meetings if the legislative body regularly meets fewer than 10 times per calendar year. Cal. Gov't Code § 54953(f)(3). These limitations apply separately for each legislative body (Commission and Executive Committee).

Any time a member participates remotely pursuant to AB 2449, the member must use both audio and visual technology and must publicly disclose whether any individual

over the age of 18 is present at the remote location, and the Commission must also provide the public with the means to participate in the meeting remotely and post information regarding how to do so on the agenda for the meeting. Cal. Gov't Code §§ 54953(f)(1) & 54953(f)(2).

If members participate remotely under the traditional Brown Act requirements, including noticing the location from which they will be participating and making the location accessible to the public, the agency would not be required to provide members of the public with a remote meeting option. However, to avoid confusion about the options for public participation and to promote transparency, we recommend that the Commission authorize remote public participation, regardless of whether the meeting is conducted under AB 361, AB 2449, or under traditional Brown Act requirements.

When the Governor withdraws the state of emergency on February 28, 2023, members of the First 5 Alameda County Commission and its Executive Committee will have the following options for participating in meetings:

- (1) Members may participate remotely pursuant to AB 2449 without noticing their location if: (a) the member has just cause; or (b) the member is experiencing emergency circumstances and the member requests and obtains the Commission or Executive Committee's approval.
- (2) Members may participate remotely pursuant to traditional Brown Act teleconference requirements, including providing notice of their location and making the location accessible to the public; or
- (3) Members may participate in-person at the noticed location of the meeting.

CONCLUSION

Once the Governor withdraws the state of emergency on February 28, 2023, members will be required to comply with the Brown Act requirements for remote participation (i.e., identify the address from which they are participating on the meeting agenda and allow public access to that location), participate in person, or participate remotely under AB 2449. Therefore, we recommend that First 5 Alameda County establish clear policies and procedures to facilitate the conduct of future meetings. We are happy to assist in drafting proposed policy changes that comply with the requirements of the Brown Act should the Commission desire our assistance.



To: First 5 Alameda County Executive Committee
From: Brittney Frye, Human Resources Director
Date: December 8, 2022
Subject: Employee Handbook Revisions

ACTION REQUESTED

To approve the 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.

The following changes are part of a legal review of the Employee Handbook by Joan Pugh Newman at Wiley Price & Radulovich and in accordance with legislative changes effective January 2023. The changes identified in the Employee Handbook are as follows:

First 5 recommended changes as part of legal review:

- Page 6: **Agency Complaint Procedure** – update the State Department of Fair Employment & Housing to the Civil Rights Department (CRD) in accordance with their name change.
- Page 14: **Paid Sick Time** – add “designated person” language and definition in accordance with AB1041.
- Page 16: **Bereavement Leave** – update bereavement leave section in accordance with AB1949 stating that all employees must be granted up to 5 days of bereavement leave (was previously prorated for part-time employees).
- Page 18: **Unpaid Leaves** – add “designated person” language and definition in accordance with AB1041.

FISCAL IMPACT

There is no fiscal impact.

AGENDA ITEM 7

RECOMMENDATION

First 5 Alameda County staff recommend that the Executive Committee approve the revisions to the Employee Handbook.

Submitted by:

DocuSigned by:

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Brittney Frye
Human Resources Director

Reviewed by:

DocuSigned by:

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Kristin Spanos
Chief Executive Officer

FIRST 5



Employee Handbook

Revised December 2022

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Acknowledgement

Change Log

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

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 and with or without cause. 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 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 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 Human Resources. 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 Human Resources.

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, ethnicity, 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 violate 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
- 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, Human Resources, 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 an impartial and qualified individual 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.

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 [Civil Rights Department of Fair Employment and Housing](#) (“[CRDFEH](#)”). The local address for the [CRDFEH](#) is 2218 Kausen Drive, #100, Elk Grove, California 95758, or [www.dfeh.ca.gov](#).
- 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, or [www.eeoc.gov](#).

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 whose job duties require them to work alone with children are required to be fingerprinted prior to employment. Employees whose job requires them to work directly, in-person 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 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 notified in writing the introductory period is concluded.

Introductory Employees are employed "at-will" and employment may be terminated by you or by F5AC at any time, during your introductory period, for any reason or no reason, with or without cause, and with or without advance notice.

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 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 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. This category includes interns.

- **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.) that is 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 Human Resources 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 Human Resources and the CEO 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:

- 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 are placed in the employment file. Employees are provided 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 Human Resources 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 fiscal year for their own professional development. 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 and introductory full-time and part-time employees, who regularly work 20 hours or more per week. F5AC contributes to the cost of premiums for the eligible employee, as well as for 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 authorized payroll deductions 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 is it 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 authorized payroll deductions. 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 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. The Health Care FSA allows employees to carry over up to the IRS Limit from one plan year to the next. If the balance exceeds the IRS limit at the end of the plan year, the account balance above the limit will be forfeited.

COBRA Insurance Continuation

If employees and covered dependents lose health insurance coverage due to 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.

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 confirm that they have coverage elsewhere will 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 and introductory, 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 employer-paid \$25,000 basic life and accidental death and dismemberment insurance benefits. Employees may also elect supplemental coverage at their own expense, with premium payments made on a pre-tax basis through authorized payroll deductions 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

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

- 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.

457(b) Deferred Compensation Plan

Regular and introductory full-time and part-time employees may participate in the Alameda County Deferred Compensation Plan. Pre-tax or Roth (after-tax) contributions are made through authorized 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.

Workers' Compensation

As required by law, F5AC pays for workers' compensation insurance 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.

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 for all benefits 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 and introductory full-time 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.

Regular and introductory 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 or vacation pay-out is used 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 Human Resources 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	Indigenous Peoples' Day
Lincoln's Birthday	Veterans' Day
Washington's Birthday	Presidential General Election Day (every 4 years)
Memorial Day	Thanksgiving Day
Juneteenth	Friday after Thanksgiving
Independence Day	Christmas Day through New 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 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 not to exceed a total of 8 hours per holiday. No other employee classifications are eligible for this benefit, unless preapproved by the CEO.

If an observed holiday falls on a Saturday, said holiday shall be observed on the preceding Friday. If an observed holiday falls on a Sunday, said holiday shall be observed on the following Monday.

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 later in the 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 employees with some 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 parent or step-parent, spouse, domestic partner, child or stepchild, grandparent, grandchild, sibling, foster parent, foster child, parent-in-

law, any other person sharing the relationship of in loco parentis; and, when living in the household of the employee, a sibling-in-law, or “designated person”. A “designated person” is defined as a person identified by the employee at the time the employee requests to use paid sick time. Employees are permitted one “designated person” per 12-month period for paid sick leave usage.

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 4 hours per pay period 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 paid sick time at the time of hire. Temporary employees may not use sick time until their ninetieth (90th) 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 separate, and then 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 also be provided with three days of sick time upon rehire, 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 workday (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 is absent for 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 paid sick time is exhausted and additional time off for medical reasons is needed, employees may request a medical leave of absence.

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

Catastrophic Sick Leave

An employee may be eligible to receive voluntary donations of accrued vacation hours 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 Paid 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 Sick Leave (“CSL”) Program is designed to be as confidential as possible and is strictly voluntary. Employees who donate accrued vacation hours to the CSL Bank will be made aware of the dollar value of their donation to the Bank. The recipient of CSL benefits will be made aware of the value of their benefits received from the CSL 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 full or part-time F5AC employee is eligible to participate in the CSL 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 CSL Bank. The donor’s hourly value of paid vacation time donated will be converted into a dollar value and deposited into the bank. After F5AC approval, CSL leave is withdrawn from the CSL Bank and granted as sick hours to the eligible requesting employee.

To be considered for a CSL 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 CSL Program and Bank.

The requesting employee must provide a medical verification of the employee’s qualification for this CSL program, including an explanation of the employee’s work limitations and estimated date of return to work, if applicable. If the employee requesting CSL 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 donations from the CSL bank will be at F5AC’s sole discretion and will be final (e.g., not subject to challenge).

While the CSL 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 accrued hours 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 accrued hours alone is not justification for requesting a donation from the CSL Bank.

A requesting employee may be eligible to receive up to a total of 320 hours of donated CSL time throughout their employment. Donations are considered on a first-come, first-served basis. Donations from the CSL Bank may be approved only if there are funds available in the bank.

Periodically, F5AC may notify all employees that they may choose to donate to the bank.

Donations are made in 4-hour increments. Once the donation is made, and deposited in the CSL Bank, it is a final transaction and cannot be retrieved by the donating employee. The maximum donation in a calendar year is 80 hours 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 balances falling below 40 hours are not permitted.

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 for this purpose 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 workday, the employee is required to work the rest of that day.

Bereavement Leave

All employees may take up to 5 days, consecutive or non-consecutive, for bereavement leave for a death in their immediate family and must be completed within three months of the death of the family member. F5AC may require documentation of the family member's death.

For purposes of this policy, "immediate family" means parent, step or foster parent or parent-in-law, spouse, domestic partner, child, step or foster child, grandparent, grandchild, sibling or sibling-in-law, or any other person sharing the relationship of "in loco parentis" with the employee.

Time off with pay ~~due to a death in the immediate family or~~ a regular or introductory full-time employee may be granted for a period up to five days per occurrence. Regular and introductory part-time employees may be granted time off with pay bereavement leave pro-rated based on the percent of time regularly scheduled to work. ~~For purposes of this policy, "immediate family" means parent, step or foster parent or parent-in-law, spouse, domestic partner, child, step or foster child, grandparent, grandchild, sibling or sibling-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, and are encouraged to apply for, disability benefits through State Disability Insurance (SDI) for the time they are unable to work. SDI is an employee paid state-administered 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)

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.

Paid Parental Leave

As a special benefit to regular and introductory 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 employee is eligible to receive additional compensation from F5AC up to 100% of their regular pay in combination with PFL benefits received. 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 leaves of absence is posted in the workroom and on the intranet. Employees who are considering requesting a leave of absence are encouraged to meet with Human Resources 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. “Without pay” means that F5AC does not pay for time on leave, although F5AC may permit, or require, the employee exhaust accrued, unused vacation, PTO, and/or paid sick hours during the otherwise unpaid leave, consistent with F5AC policies and applicable law. 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.

General information

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 wish to request leave that is not covered by the descriptions below.

In addition to the leaves outlined below, 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.

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:

- For the employee's serious health condition
- To care for the serious health condition of the spouse, registered domestic partner, child, parent of an employee; and additionally, under CFRA, grandparent, grandchild, sibling, ~~or~~ parent-in-law or "designated person"
- To care for the employee's child after birth, or following placement for adoption or foster care ("baby bonding")
- 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.

A "designated person" is any individual related by blood or whose association with the employee is the equivalent of a family relationship. The designated person is identified by the employee at the time they request the leave. Employees are limited to one designated person per 12-month period for CFRA leave.

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 generally required to use accrued vacation, PTO or paid sick hours.
- Employees on leave for pregnancy disability are generally required to use paid sick time and may elect to use PTO or vacation time during the leave.

Employees on approved FMLA/CFRA leave retain their employer-paid health insurance under the same terms and conditions as if they remained actively working.

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

Non-FMLA/CFRA Medical or 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 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 generally be returned to the same or 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 requesting foreseeable PDL leave should ordinarily provide thirty days' notice in advance of the date the leave is to begin. When requesting PDL, an employee must provide certification of the need for leave from the treating health care provider, who must certify the date the leave is to begin as well as the anticipated return-to-work date. When returning from PDL leave, the employee must provide a release to return from the health care provider, including any work restrictions and the duration of any such restrictions.

Employees taking PDL leave must generally use accrued paid sick time during the leave but may elect whether to not to use accrued vacation or PTO.

Employees taking PDL retain their employer-paid health insurance during their approved leave (up to a maximum of four months) under the same terms and conditions as if they remained actively working.

Employees returning from approved PDL will be returned to the same or 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
- The employee is determined to be unable to return to their usual duties permanently.

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 comparable position to the extent required by law.

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. Any regular F5AC employee 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 the supervisor, Human Resources and approved by the director.

Employees are required to exhaust all accrued paid sick (if applicable), vacation, and PTO hours 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 requested leave extension is not approved, the employee must return to work on the originally scheduled return date. Failure to

return at the conclusion of the approved personal leave will generally be considered a voluntary resignation from employment. Extensions of leave are considered 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.

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 workday.

Work Schedules

The regular work schedule is from 8:30 a.m. to 5:00 p.m. Monday through Friday including a half hour unpaid rest period. Some employees may have different work hours and/or an alternative work schedule if the alternative schedule is agreed in advance in writing by the employee and the supervisor and reviewed/approved by Human Resources. Any alternate work schedule is subject to the demands and limitations of the job and department.

Alternative Work Schedules

4/10 Schedule

A 4/10 schedule allows an employee to work 4 days, instead of 5 days per week. An employee works 10 hours per workday, 4 days per week, rather than 5 eight-hour days per week. Employees must have supervisor approval and work set workdays each week. Employees may need to occasionally adjust their workdays due to organizational needs or their manager's request. Employees approved for this schedule sign a written 4/10 agreement and cannot accumulate Flex days off. Employees may need to adjust their Flex days due to organizational needs or their manager's request.

9/80 Schedule

Any regular, exempt full-time employee 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 consists of eight 9-hour days and one 8-hour day, with every other Friday off, (also known as a flex day off) in a single 80-hour pay period. Employees approved for this schedule sign a written 9/80 agreement and cannot accumulate Flex days off. Employees may need to adjust their Flex days due to organizational needs or their manager's request.

F5AC holidays are paid at a rate of 8-hours per day. Employees who are scheduled to work a 9-hour or 10-hour day and are off on a holiday must request 1-or 2-hours accrued vacation or PTO to receive full pay for the day off.

If a holiday falls on a day an employee is scheduled for their flex day off, the employee will be allowed to take 8-hours of leave on another day in the pay period the holiday falls, upon supervisor approval. The 8-hours may be combined with 1- or 2-hours vacation or PTO to be paid a full 9- or 10-hour day.

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 (or up to one (1) hour if working a 9-hour day) towards the middle of their workday. No work for F5AC should be performed during the unpaid meal period. On the rare occasion when F5AC work requirements make it impossible for the employee to be

completely relieved of all duties during their lunch break, the employee must note this on the timecard, and inform their supervisor, and they will be paid for their meal period. Employees may not skip meal breaks 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 and Compensatory Time Off

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.

As an employee option, 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 Human Resources in advance of performing the overtime work.

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

Multilanguage 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 make a request to human Resources 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.

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.

COVID-19 Workforce Vaccination Policy

F5AC provides a safe and healthy workplace, consistent with public health guidance and legal requirements, and protects its employees and the public from COVID-19. This Policy is designed to protect our employees and the public we serve

Guidance from the federal Centers for Disease Control and Prevention (CDC), the California Department of Public Health (CDPH), and the County's Health Officer uniformly cite vaccination as the most effective way to reduce COVID-19 transmission and limit COVID-19 hospitalizations and deaths. Unvaccinated F5AC staff are at greater risk of contracting and spreading COVID-19 in the workplace and at partner facilities, and therefore represent a greater risk to/from the members of the public who depend on our services.

As a condition of continued employment, all employees must disclose their vaccination status following the procedure below. Vaccinated employees must provide vaccination proof to Human Resources.

All new employees must disclose their vaccination status and, if vaccinated, provide proof of their vaccination prior to beginning employment.

Employees who are unvaccinated (as defined below) and who wish to, or are required to, use First 5 offices, must undergo weekly COVID-19 testing in addition to always wearing a mask in the workplace until they are fully vaccinated (as defined below).

Any volunteers, with a volunteer agreement in place, who access First 5 offices (hereafter "covered non-employees") are also required to comply with the vaccine status disclosure and policy testing obligations.

Definitions

- **COVID-19 Testing** – Testing for COVID-19 must be completed using a PCR (molecular) test or antigen test, which must either have Emergency Use Authorization by the U.S. Food and Drug Administration (FDA) or be in accordance with the Laboratory Developed Test requirements by the U.S. Centers for Medicare and Medicaid Services. At home tests do not meet this requirement.
- **Fully Vaccinated** – at least two weeks passed since receiving the final dosage of an FDA-approved COVID-19 Vaccine. While employees are encouraged to receive booster

vaccinations where eligible, this is not a requirement to be considered fully vaccinated. This definition is subject to change and may be revised in accordance with CDC and CDPH guidelines and applicable law.

- **Vaccination Proof** – one of the following:
 - COVID-19 Vaccination Record Card (issued by the Department of Health and Human Services, CDC, or WHO Yellow Card) which includes name of person vaccinated, type of vaccine, and date final dose administered; or
 - Documentation of COVID-19 vaccination from a licensed health care provider; or
 - Digital record that includes a QR code that when scanned by a SMART Health Card reader displays to the reader the employee’s name, date of birth, vaccination dates, and vaccine type, obtained at: DigitalCOVID-19VaccineRecord.ca.gov.
- **Unvaccinated** – not vaccinated, incompletely vaccinated, or not fully vaccinated.

Requirements & Procedures

Reporting Requirements

All employees and covered non-employees must disclose their vaccination status by submitting the related documents to Human Resources. Employees and covered non-employees who disclose they are:

1. “Fully vaccinated” must provide their proof of vaccination to Human Resources;
2. Not “fully vaccinated” will receive information describing how to receive their vaccination on F5AC time (up to two hours per dosage) and receive testing requirement information.

Testing Requirements

All unvaccinated employees or covered non-employees must provide to human resources proof of a negative COVID-19 test taken no more than 72 hours prior to the first visit to the office that week. Up to two hours per COVID-19 test is paid.

Record Confidentiality

Records related to an employee’s vaccination status and COVID-19 tests are considered confidential health records and are confidentially maintained in accordance with the F5AC Confidentiality Policy in this handbook.

Part Nine: Work Practices and Environment

Punctuality & Attendance

If employees are unable to work as scheduled, they must inform their immediate supervisor prior to the start of the workday 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 workspaces, 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 avoid 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 are always locked (except the front entrance and conference center entrance which are unlocked during business hours). Employees 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 other 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

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

F5AC provides:

- Information about breastfeeding support when hired and prior to employees' leave for pregnancy disability or related condition or baby-bonding leave.
- Reasonable time to express milk or breastfeed. Supervisors are encouraged to consider flexible break times, schedules, or other reasonable accommodation to meet employees' needs. Employees may request this accommodation either verbally or in writing to their supervisor or Human Resources.
- A designated Lactation Room, furnished with an electrical outlet, refrigerator for breastmilk storage, comfortable seating, a table, and appropriate furnishings/signage to ensure privacy.

Employees who believe they have not been accorded their rights in connection with this policy have the right to file a complaint with the California Labor Commissioner.

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 child care 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.

F5AC recognizes there may be occasions when child care is not available and employees need to be available for work. In those situations, the employee may request to work remotely 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 always be directly supervised by the parent. 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, 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.

COVID-19 Remote Work Policy Revision: Due to COVID-19, the need to request a Remote Work arrangement is temporarily not required. The rest of the policy including performance expectations remain unchanged. This is temporary and may change at any time with or without warning.

Personal Automobile Use

Prior to using a 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 should enable employees to be comfortable in the workplace, while also projecting a professional image to co-workers, clients, partners, volunteers, and the public.

The following guidelines provide general parameters for appropriate work attire and help employees exercise good judgment about items not specifically addressed. A clean and neat appearance should be always maintained. 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 attire and grooming standards, including counseling employees whose attire is inappropriate.

Expense Reimbursement

Reasonable and customary work-related expenses incurred in the performance of one's job will generally be reimbursed. Reimbursement requires prior written authorization by the employee's immediate supervisor, itemized actual expenses, and the employee's signed expense reimbursement form with all required documentation/receipts attached. Reimbursements submitted after 120 days will be subject to income tax. Employees should consult the Finance team or the F5AC Procedures Manual for specific instructions.

References

F5AC provides only limited reference information about current and former employees to prospective employers. i.e.: only employment dates and job titles. After receiving a written request and authorization signed by the employee, F5AC will also disclose requested earnings. References may only be provided by Human Resources. Any employee who receives a reference request for references or information about any current or former employee must refer this request to Human Resources.

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 and otherwise to perform their job duties. The Technology Systems are primarily used for F5AC work, and not for personal purposes. Minimal personal use may be 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. The Technology Systems must 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 or personal files onto the Technology Systems unless authorized by the IT team.

Employees do not have any right or expectation of privacy in the Technology Systems, including email or documents created, maintained, sent, or received by the Technology Systems. F5AC may monitor and/or search the contents of all voicemail, computer files, and electronic communications.

Social Media

F5AC has a social media presence and encourages employees to connect to help spread the word about F5AC's great work 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.

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 using 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 personal 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.
- Do not use 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 F5AC’s 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 employment files are current. Employees should update their information in the Human Resources system (address, phone, emergency contacts, etc.) and inform Human Resources when there are changes, such as marital or domestic partnership status, and dependents, that may affect pay or benefits.

Employees have the right to inspect employment records relating to their performance or to any grievance concerning them, or otherwise as permitted by law. Employees wishing to inspect employment records may do so during regular office hours, after a written request is made to Human Resources. 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 inspecting the file. Employees may receive copies, at their own cost, of any document in the employment 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

F5AC uses bulletin boards, mailboxes, meetings, intranet, and email to communicate important F5AC information. Each employee 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 CEO 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. Employees must always treat each other with dignity and respect 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 excessive tardiness or absenteeism, unrelated to a protected leave
- Rudeness or discourtesy or disrespect toward a fellow employee, supervisor, volunteer, supporter, or member of the 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, signed by the employee to acknowledge receipt and placed in the employment file.
- **Written Warning:** The supervisor presents the written notice of corrective action, or written warning, to the employee in person if possible. A written warning includes a description of the misconduct or performance problem, the expectations going forward and the consequences if the problem is not corrected. Written warnings are signed by the employee to acknowledge receipt and placed in the employment file.
- **Suspension:** Employees may be suspended without pay for a period 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 Human Resources prior to taking or recommending any disciplinary action, including discharge.

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

Right to Respond to Notice of Serious Discipline

Public agencies must comply with certain minimal due process procedures before taking Serious Disciplinary actions, defined for this policy to include pay reduction, suspension of more than five days, demotion, or dismissal, against regular employees.

After receiving a notice of intent to impose Serious Discipline, the regular employee has ten days to respond to the proposed discipline, either in writing or verbally. If an employee timely exercises this right to respond to the notice of discipline, a “Skelly” meeting is conducted.

A “Skelly” meeting provides an informal opportunity for an employee to respond to the proposed Serious Discipline. That is, the employee can refute charges, explain circumstances, or generally present their version of events. The employee is not entitled to a full evidentiary

hearing or to call witnesses to testify. The employee may have a representative of their choice present at the meeting. The employee and/or the employee's representative may present the employee's response at the meeting.

A "Skelly" officer leads the meeting. The "Skelly" officer should generally be an impartial authority who was not involved in the investigation or events leading to the decision to issue proposed Serious Disciplinary action, and who is authorized to make an effective recommendation concerning the proposed action to the final decision maker.

After the "Skelly" meeting is conducted, the "Skelly" officer will provide a recommendation to the CEO either to uphold, modify, or revoke the proposed Serious Discipline. The CEO has the final authority over the proposed disciplinary action.

Conflict of Interest & Incompatible Activities

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, the employee's job duties, or is, in the judgment of F5AC, otherwise 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.

All employees are required to adhere to the F5AC Conflict of Interest Policy.

In compliance with the First 5 Alameda County Incompatible Activities Policy, all employees must complete an Incompatible Activities Statement Certification.

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

Any employee needing advice about a potential conflict of interest should contact the Finance Officer or Human Resources. 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 and/or private matters include, but are not limited to:

- Employee or client names, addresses, telephone numbers, social security numbers, and medical/health information
- Information contained in employment 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/Confidential data in F5AC web-based applications

Private and confidential information should not be disclosed except to those who have both the need and authority to know about the information to properly perform their job duties.

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 CEO, Public Information and Communications Officer or Chief of Staff.

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 given notice of voluntary resignation 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.

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 the employee's experience at F5AC, and the work environment, that may benefit 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 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, the below guidelines may be followed.

In its sole discretion, F5AC determines when and whether it is necessary to implement 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 instead of a RIF (e.g., require employees to work fewer hours per week or take a specified period 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, F5AC 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 and 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, or Diversified employee) if 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 less applicable tax and other withholdings, for every year of 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, if any, 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 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.



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.

Employee Name

Employee Signature

Date

Change Log

Item	Date
Original adoption of Employee policies adopted by Commission	5/21/2004
Handbook Update - Approved by Commission 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

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
Update approved by the Commission - At-Will Employment, Policy Prohibiting Harassment & Discrimination, Adding Presidential General Election Holiday and COVID 19 Temporary Remote Work Policy	10/15/2020
Update approved by the Commission -Executive Committee - Handbook Clean-up - approved by the Commission Executive Committee, including updates to approval levels and titles, clarification on introductory employees, At Will Employment, Policy Prohibiting Harassment & Discrimination, Work Eligibility, Introductory Period, Employee Classifications, Professional Development, Benefits, Vacations, Paid Time Off, Paid Sick Time, Bereavement Leave, Paid Parental Leave, Leaves of Absences , Work Schedules, Bilingual and Multilanguage Pay, Breastfeeding-Friendly Workplace, Expense Reimbursement, References, Communication & Technology, Conflict of Interest & Incompatible Activities, Confidentiality, Reduction in Force Additions: Juneteenth & Indigenous People’s Day Holidays; Additional Eligible Family Members under CFRA, 4-10 Schedule; COVID-19 Workforce Vaccination Policy, Right to Respond to Notice of Serious Discipline	05/26/2022
<u>Updates for legislative compliance to add “designated person” to Paid Sick Time and Unpaid Leaves, to include 5 days of bereavement leave for part-time employees (paid leave prorated), to update name of Civil Rights Department (from Fair Employment and Housing).</u>	<u>12/08/2022</u>



To: First 5 Alameda County Executive Committee

From: Christine Hom, Chief Operating Officer

Date: December 8, 2022

Subject: 2023 Cost of Living Adjustment

REQUESTED ACTION

That the Executive Committee review and discuss the recommendation for a 2023 Cost of Living Adjustment (COLA) of 5.00%.

BACKGROUND

Per the Salary Guidelines, approved by the Commission, it is the Commission's responsibility to grant a COLA to employees. If awarded, COLAs are granted to all regular employees, both full and part-time, at the beginning of the calendar year. Typically, COLAs are implemented to ensure that employees' wages do not lose real value due to increases in the costs of goods and services.

Competitive salaries are an important recruitment and retention strategy; the ability to consider a COLA is particularly important for retention purposes considering that many of our employees' salaries are capped and, as a relatively small agency, promotional opportunities are limited. If approved, COLA adjustments will be applied to our salary ranges. We would anticipate applying the COLA to the December 25, 2022 pay period with it reflected in employee paychecks on January 20, 2023.

DISCUSSION

As a partner, we annually review Alameda County's COLA practices in an attempt to provide comparable benefits to remain a competitive employer. Alameda County is in current contract negotiations with SEIU and ACMEA. The information below reflects the currently approved rates.

Alameda County:

SEIU, representing the majority of non-exempt employees at Alameda County, will receive a COLA of 3.25% effective 6/26/22.

ACMEA, representing the majority of management and professional level employees at Alameda County, will receive a 3% COLA on 12/26/21.

AGENDA ITEM 8

Consumer Price Index:

The U.S. Bureau of Labor Statistics has reported a 10% increase in food prices and an increase of 26% in energy (largely due to increased gas prices) over the last 12 months (November 2021 – October 2022).

FISCAL IMPACT

The fiscal impact of granting a 5.00% COLA for the six-month period of the current fiscal year is \$175,218. Funding is available in the FY 2022-23 Commission approved budget.

RECOMMENDATION

That the Executive Committee recommend the Commission grant a 5.00% employee Cost of Living Adjustment (COLA) to take effect for the calendar year of 2023 at their next meeting on December 15, 2022.

Submitted by:

Reviewed by:

DocuSigned by:
Christine Hom
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kristin Spanos
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Christine Hom,
Chief Operating Officer

Kristin Spanos,
Chief Executive Officer