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**FIRST 5 ALAMEDA COUNTY COMMISSION MEETING AGENDA**

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**Thursday, October 17, 2019**

**First 5 Alameda County  
1115 Atlantic Ave.  
Alameda, CA 94501  
Conference Room A**

9:00 AM – 12:30 PM

**Commissioners:** Chair: Renee Herzfeld, Vice Chair: Cecilia Echeverría, Wilma Chan, Colleen Chawla, Scott Coffin, Lori Cox, Tomás A. Magaña M.D., Karina Moreno

**Alternates:** Vanessa Cedeño, Aneeka Chaudhry, Michelle Love

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- 1. Public Comment (for items not listed on the agenda) - Limited to 3 minutes per speaker**
- 2. Staff Announcements**
- 3. Approval of Minutes from June 20, 2019 and August 2, 2019**
- 4. 2020 Commission Calendar Draft**
- 5. Use of Public Funds in Connection with Ballot Measures Presentation**
- 6. FY 2018-19 Financial Audit**
- 7. Contract Authorizations**
- 8. Employee Handbook Updates**
- 9. ECE Initiative Update**
- 10. State Commission and Association Updates**
- 11. Legislation and Public Policy Update**
- 12. CLOSED SESSION – Discussion of Personnel Matters (Gov Code 54754.5, 54957)**
- 13. Communication from Commissioners**
- 14. Adjournment**

**Information about the First 5 Conference Center**

- The First 5 Conference Center is wheelchair accessible. Please notify us 3 business days in advance if you need special assistance so we can make reasonable arrangements to ensure accessibility.
- Please refrain from wearing strongly scented products to the Conference Center in consideration of those who may experience chemical sensitivities.




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**FIRST 5 ALAMEDA COUNTY COMMISSION MEETING MINUTES**


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**Thursday, June 20, 2019**

**First 5 Alameda County  
1115 Atlantic Ave.  
Alameda, CA 94501  
Conference Room A**

9:00 AM – 11:30 AM

**Commissioners:** Chair: Renee Herzfeld, Wilma Chan, Colleen Chawla, Scott Coffin, Tomás A. Magaña M.D., Karina Moreno

**Alternates:** Michelle Love

**Absent:** Vice Chair: Cecilia Echeverría, Lori Cox

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**Chair Herzfeld called the meeting to order at 9:03 AM.**

**1. Public Comment**

There was no Public Comment.

**2. Staff Announcements**

Ms. Kristin Spanos, CEO provided staff announcements.

Ms. Spanos and Ms. Carla Keener, Director of Programs were invited to meet with the JPB Foundation President, Ms. Barbara Picower. The foundation is interested in investing in early childhood, equity and poverty in California. The meeting is scheduled for July 15<sup>th</sup>. Ms. Spanos shared an agency overview document that was provided to the foundation.

Ms. Spanos stated the agency was asked by the CA Surgeon General Burke Harris' office to coordinate an informal listening session in Oakland on May 15<sup>th</sup>. Roots Community Health Center graciously hosted the event. The event was part of the Surgeon General's statewide listening tour focused on toxic stress and trauma-informed care. It was a well-attended meeting, with more than 50 parents, health care providers, and nonprofit partners in attendance.

On May 18<sup>th</sup>, Ms. Spanos stated that the agency in partnership with the Alameda Professional Child Care Association, Bay Area Quality Counts, and Resource and Referral agencies, held the 2019 Bay Area Family Child Care (FCC) Conference. As a result of our extensive outreach, we had over 400 visits to the Evite page, over 100 FCC registered, and 77 FCC attendees on a rainy Saturday.

Ms. Spanos invited the Commission to attend the Fathers Corps Year End Celebration on June 21st. The event will take place at the Marina Community Center in San Leandro. The Commission will also be meeting for a retreat in early August, largely to discuss sustainability.

### 3. Approval of Minutes from April 18, 2019

Commission Action: The Commission approved the April 18, 2019 minutes upon motion by Commissioner Chan, seconded by Commissioner Coffin and unanimously carried with no abstentions (6 in favor, 0 opposed, 0 abstentions).

### 4. Contract Authorizations

Ms. Christine Hom, Finance Officer presented a brief overview of the contract authorizations.

Chair Herzfeld facilitated the following vote:

- New Haven Unified School District (Union City Family Center)

Commission Action: The Commission approved the contract above upon motion by Commissioner Chan, seconded by Commissioner Moreno and unanimously carried with no abstentions (6 in favor, 0 opposed, 0 abstentions).

Chair Herzfeld facilitated the following vote:

- Lincoln

Commission Action: The Commission approved the contract above upon motion by Commissioner Magaña, seconded by Commissioner Moreno, and unanimously carried with Commission Alternate Love abstaining from the vote (5 in favor, 0 opposed, 1 abstention).

[Commissioner Chawla arrived at 9:13am.]

Chair Herzfeld facilitated the following vote:

- Roots Community Health Center

Commission Action: The Commission approved the contract above upon motion by Commissioner Chan, seconded by Commissioner Magaña, and unanimously carried with Commissioner Coffin and Commission Alternate Love abstaining from the vote (5 in favor, 0 opposed, 2 abstentions).

Commissioner Coffin facilitated the following vote:

- Lotus Bloom Family Resource Center

Commission Action: The Commission approved the contract above upon motion by Commissioner Chan, seconded by Commissioner Magaña, and unanimously carried with Chair Herzfeld abstaining from the vote (6 in favor, 0 opposed, 1 abstention).

Commissioner Coffin facilitated the following vote:

- YMCA of the East Bay

Commission Action: The Commission approved the contract above upon motion by Commissioner Magaña, seconded by Commissioner Chan, and unanimously carried with Chair Herzfeld and Commissioner Moreno abstaining from the vote (5 in favor, 0 opposed, 2 abstentions).

## 5. Final Reading of FY 2019-21 Budget

Ms. Spanos provided a brief overview of the FY 2019-21 budget which was extensively reviewed during the first reading at the April Commission meeting.

Ms. Hom presented the final reading of the FY 2019-21 budget. Since the April Commission meeting, the agency has received additional committed funding from Alameda County Social Services Agency (ACSSA) in support of CalWORKS activities in the Castlemont neighborhood, a workforce development program for CalWORKS participants to become ECE providers including on the job training, field placement and support towards earning an Associate Teacher Permit and funding for early childhood activities within the County. Minimum guaranteed FY 2019-20 funding totals \$717,507 for this work. Ms. Hom stated during the current fiscal year the agency has also received \$25,000 from the CA Wellness Foundation to support the American Association of Pediatrics fall conference and the workforce development program. \$20,000 of this grant funding has been added to the proposed budget (as previously received revenue) to support the workforce development program during FY 2019-20.

Commission Action: The Commission approved the FY 2019-21 budget upon motion by Commissioner Coffin, seconded by Commissioner Magaña, and unanimously carried (7 in favor, 0 opposed, 0 abstentions).

## 6. FY 2019-20 & FY 2019-21 Contract Authorizations

Ms. Hom provided a brief overview of the FY 2019-20 and FY 2019-21 contract authorizations.

Chair Herzfeld facilitated the votes on the following Administration, Information & Technology contracts:

- Remcho, Johansen & Purcell
- Carahsoft
- TECHsperience
- eightCloud
- RedCar IT

Commission Action: The Commission approved the above contracts upon motion by Commissioner Chan, seconded by Commissioner Moreno, and unanimously carried (7 in favor, 0 opposed, 0 abstentions).

Chair Herzfeld facilitated the votes on the following Communications contract:

- Interpreters Unlimited

Commission Action: The Commission approved the above contract upon motion by Commissioner Moreno, seconded by Commissioner Chawla, and unanimously carried (7 in favor, 0 opposed, 0 abstentions).

Chair Herzfeld facilitated the votes on the following Early Identification contracts:

- Children's Physical Therapy Oakland DBA Baby Builders
- Through the Looking Glass
- Family Resource Navigators

Commission Action: The Commission approved the above contracts upon motion by Commissioner Magaña, seconded by Commissioner Moreno, and unanimously carried (7 in favor, 0 opposed, 0 abstentions).

Chair Herzfeld facilitated the vote on the following Early Identification contract:

- UCSF Benioff Children's Hospital Oakland

Commission Action: The Commission approved the above contract upon motion by Commissioner Moreno, seconded by Commissioner Chawla, and unanimously carried with Commissioner Coffin and Commissioner Magaña abstaining from the vote (5 in favor, 0 opposed, 2 abstentions).

Chair Herzfeld facilitated the vote on the following Early Identification contract:

- County of Alameda, Public Health Department

Commission Action: The Commission approved the above contract upon motion by Commissioner Coffin, seconded by Commissioner Magaña, and unanimously carried with Commissioner Chawla and Commission Alternate Love abstaining from the vote (5 in favor, 0 opposed, 2 abstentions).

Commissioner Coffin facilitated the vote on the following Early Identification contract:

- Lotus Bloom Family Resource Center

Commission Action: The Commission approved the above contract upon motion by Commissioner Moreno, seconded by Commissioner Chawla, and unanimously carried with Chair Herzfeld abstaining from the vote (6 in favor, 0 opposed, 1 abstention).

Chair Herzfeld facilitated the vote on the following Fatherhood contract:

- LaNiece Jones

Commission Action: The Commission approved the above contract upon motion by Commissioner Moreno, seconded by Commissioner Chan, and unanimously carried (7 in favor, 0 opposed, 0 abstentions).

Chair Herzfeld facilitated the vote on the following Neighborhoods Ready for School contracts:

- ISEED
- New Haven Unified School District (Union City Family Center)

Commission Action: The Commission approved the above contracts upon motion by Commissioner Coffin, seconded by Commissioner Moreno, and unanimously carried (7 in favor, 0 opposed, 0 abstentions).

Chair Herzfeld facilitated the vote on the following Neighborhoods Ready for School contract:

- Lincoln

Commission Action: The Commission approved the above contract upon motion by Commissioner Magaña, seconded by Commissioner Moreno, and unanimously carried with Commission Alternate Love abstaining from the vote (6 in favor, 0 opposed, 1 abstention).

Chair Herzfeld facilitated the vote on the following Neighborhoods Ready for School contracts:

- Youth Uprising – support for CalWORKs families
- Youth Uprising – facilities and ECE program support

Commission Action: The Commission approved the above contracts upon motion by Commissioner Chan, seconded by Commissioner Coffin, and unanimously carried with Commissioner Magaña and Commission Alternate Love abstaining from the vote (5 in favor, 0 opposed, 2 abstentions).

Chair Herzfeld facilitated the vote on the following Neighborhoods Ready for School contract:

- Oakland Unified School District

Commission Action: The Commission approved the above contract upon motion by Commissioner Coffin, seconded by Commission Alternate Love, and unanimously carried with Commissioner Magaña, Commissioner Chan and Commissioner Moreno abstaining from the vote (4 in favor, 0 opposed, 3 abstentions).

Chair Herzfeld facilitated the vote on the following Neighborhoods Ready for School contract:

- Roots Community Health Center

Commission Action: The Commission approved the above contract upon motion by Commissioner Moreno, seconded by Commissioner Magaña, and unanimously carried with Commissioner Coffin and Commission Alternate Love abstaining from the vote (5 in favor, 0 opposed, 2 abstentions).

Commissioner Coffin facilitated the vote on the following Neighborhoods Ready for School contract:

- Lotus Bloom Family Resource Center

Commission Action: The Commission approved the above contract upon motion by Commissioner Chan, seconded by Commissioner Magaña, and unanimously carried with Chair Herzfeld abstaining from the vote (6 in favor, 0 opposed, 1 abstention).

Commissioner Coffin facilitated the vote on the following Neighborhoods Ready for School contract:

- BANANAS, Inc.

Commission Action: The Commission approved the above contract upon motion by Commissioner Moreno, seconded by Commissioner Magaña, and unanimously carried with Chair Herzfeld, Commissioner Chan and Commission Alternate Love abstaining from the vote (4 in favor, 0 opposed, 3 abstentions).

Commissioner Coffin facilitated the vote on the following Neighborhoods Ready for School contract:

- County of Alameda, ALL IN Alameda County

Commission Action: The Commission approved the above contract upon motion by Commissioner Magaña, seconded by Commissioner Moreno, and unanimously carried with Chair Herzfeld, Commissioner Chan, Commissioner Chawla and Commission Alternate Love abstaining from the vote (3 in favor, 0 opposed, 4 abstentions).

Chair Herzfeld facilitated the vote on the following Parent Engagement and Support contract:

- DDG Consulting

Commission Action: The Commission approved the above contract upon motion by Commissioner Magaña, seconded by Commissioner Chawla, and unanimously carried (7 in favor, 0 opposed, 0 abstentions).

Chair Herzfeld facilitated the vote on the following Parent Engagement and Support contract:

- Alameda Health System

Commission Action: The Commission approved the above contract upon motion by Commissioner Moreno, seconded by Commissioner Chawla, and unanimously carried with Commissioner Coffin, Commissioner Magaña and Commission Alternate Love abstaining from the vote (4 in favor, 0 opposed, 3 abstentions).

Chair Herzfeld facilitated the vote on the following Parent Engagement and Support contract:

- County of Alameda, Public Health Department

Commission Action: The Commission approved the above contract upon motion by Commissioner Coffin, seconded by Commissioner Magaña, and unanimously carried with Commissioner Chawla and Commission Alternate Love abstaining from the vote (5 in favor, 0 opposed, 2 abstentions).

Commissioner Coffin facilitated the vote on the following Parent Engagement and Support contract:

- YMCA of the East Bay

Commission Action: The Commission approved the above contract upon motion by Commissioner Magaña, seconded by Commissioner Chawla, and unanimously carried with Chair Herzfeld and Commissioner Moreno abstaining from the vote (5 in favor, 0 opposed, 2 abstentions).

Chair Herzfeld facilitated the vote on the following Policy, Planning and Evaluation contracts:

- Applied Survey Research – evaluation of services for developmentally vulnerable children
- Applied Survey Research – Help Me Grow survey
- Applied Survey Research – 2019 kindergarten readiness assessment

Commission Action: The Commission approved the above contracts upon motion by Commissioner Chawla, seconded by Commissioner Moreno, and unanimously carried (7 in favor, 0 opposed, 0 abstentions).

Commissioner Coffin facilitated the vote on the following Policy, Planning and Evaluation contract:

- Parent Voices Oakland

Commission Action: The Commission approved the above contract upon motion by Commissioner Chawla, seconded by Commissioner Magaña, and unanimously carried with Chair Herzfeld and Commission Alternate Love abstaining from the vote (5 in favor, 0 opposed, 2 abstentions).

Chair Herzfeld facilitated the vote on the following Quality Early Care and Education contracts:

- Julie Kurtz
- Jewish Family and Children Services East Bay (JFCS)
- California School-Age Consortium (CalSAC)
- WestEd

Commission Action: The Commission approved the above contracts upon motion by Commissioner Moreno, seconded by Commissioner Magaña, and unanimously carried (7 in favor, 0 opposed, 0 abstentions).

Commissioner Coffin facilitated the vote on the following Quality Early Care and Education contract:

- Child Care Links

Commission Action: The Commission approved the above contract upon motion by Commissioner Magaña, seconded by Commissioner Moreno, and unanimously carried with Chair Herzfeld and Commission Alternate Love abstaining from the vote (5 in favor, 0 opposed, 2 abstentions).

Commissioner Coffin facilitated the vote on the following Quality Early Care and Education contracts:

- BANANAS, Inc.
- Community Child Care Council (4Cs) of Alameda County

Commission Action: The Commission approved the above contracts upon motion by Commissioner Moreno, seconded by Commissioner Magaña, and unanimously carried with Chair Herzfeld, Commissioner Chan, and Commission Alternate Love abstaining from the vote (4 in favor, 0 opposed, 3 abstentions).

Commissioner Coffin facilitated the vote on the following Quality Early Care and Education contract:

- County of Alameda, General Services Agency

Commission Action: The Commission approved the above contract upon motion by Commissioner Moreno, seconded by Commissioner Magaña, and unanimously carried with Chair Herzfeld, Commissioner Chawla, and Commission Alternate Love abstaining from the vote (4 in favor, 0 opposed, 3 abstentions).

## **7. Final Reading of FY 2019-28 Long Range Financial Plan**

Ms. Hom presented the final reading of the FY 2019-28 Long Range Financial Plan. Since the April Commission meeting, the only change is the increase of funding from ACSSA to \$717,000 for the CalWORKS navigation, workforce development and early childhood programming as previously mentioned. This additional revenue increases the interagency income and total revenue for FY 2019-20 accordingly.



Commission Action: The Commission approved the final reading of the FY 2019-28 Long Range Financial Plan upon motion by Commissioner Coffin, seconded by Commissioner Magaña and unanimously carried (7 in favor, 0 opposed, 0 abstentions).

## **8. GASB 54 Fund Balance Commitment**

Ms. Hom presented the GASB 54 Fund Balance Commitment which requires government agencies on an annual basis to identify how fund balance is reported in its financial statements. Annually and since 2011 when GASB 54 came in to effect, the agency has brought to the Commission a request to classify and designate the agency's fund balance which impacts how it is reported in the financial statements. Ms. Hom stated that GASB 54 requires the classification of fund balance in to 5 possible areas: Nonspendable, Restricted, Committed, Assigned and Unassigned. The agency is proposing that \$14 million be classified as "Non-Spendable" for FY 2019-20 to be used towards FY 2019-20 and FY 2019-21 contracts, grants and prepaid expenses. The remaining portion of the fund balance not exceeding \$13 million is proposed to be classified as "Assigned" for budget stabilization consistent with the LRFP.

Commission Action: The Commission approved the GASB 54 Fund Commitment upon motion by Commissioner Moreno, seconded by Commissioner Alternate Love and unanimously carried (7 in favor, 0 opposed, 0 abstentions).

## **9. ACERA 401(h) Account Authorization**

Ms. Hom presented a brief overview of the ACERA 401(h) account. As part of the offered retirement package, ACERA provides tax free health benefits to its retirees. Every year, F5AC is required to authorize the required contribution to the 401h account and attached resolution. The contribution is determined by ACERA's actuary, Segal Consulting and based on their analysis ending December 2018, First 5's contribution for FY 2019-20 is \$49,709.18. Ms. Hom stated the contribution per pay period is \$1,911.89 beginning with pay period 19-14.

Commission Action: The Commission approved the ACERA 401(h) account authorization upon motion by Commissioner Coffin, seconded by Commissioner Moreno and unanimously carried (7 in favor, 0 opposed, 0 abstentions).

## **10. Final Reading of FY 2019-20 Strategic Plan**

Ms. Lisa Forti, Director of Policy, Planning & Evaluation presented the final reading of the FY 2019-20 Strategic Plan. The FY 2017-21 First 5 Alameda County Strategic Plan must have an annual review by the Commission prior to the release of state funds for FY 2019-20. Changes are highlighted in the attached draft and listed in the memo. There have not been any additional changes since the first reading.

Commission Action: The Commission approved the final reading of the FY 2019-20 Strategic Plan upon motion by Commissioner Magaña, seconded by Commissioner Moreno and unanimously carried (7 in favor, 0 opposed, 0 abstentions).

## **11. Healthy Teeth Healthy Communities Presentation**

Ms. Keener provided brief background information on the Healthy Teeth, Healthy Communities (HTHC) program. Ms. Deb Turner, Senior Administrator, Programs introduced Ms. Domonique Wilson, Interim Program Administrator and the HTHC program staff.

Ms. Wilson shared that the initiative's goal is to increase the utilization of children ages 1-20 enrolled in Medi-Cal who receive preventative dental service, by at least 10 percentage points over a 4-year period. Ms. Wilson discussed the HTHC Strategies as outlined in the PowerPoint presentation provided to the Commission. Ms. Wilson introduced the HTHC team which includes Ms. Doris Callejas, Interim Community Dental Care Coordinator Supervisor, Ms. Tolo Asefi, Community Dental Care Coordinator (CDCC) and Ms. Jacqueline Arias, CDCC.

Ms. Asefi shared a success story about a family being helped by the HTHC program.

Ms. Keener thanked the team for their presentation.

## **12. Early Learning Communities Network Presentation**

Ms. Spanos provided background information on the Early Learning Communities (ELC) Network which kicked off in late January. Ms. Spanos thanked Chair Herzfeld for her participation in the meetings with the City of Hayward team and Commissioner Chan for the City of Alameda's involvement with the group.

Ms. Spanos introduced Ms. Page Tomblin, Senior Administrator, Policy to present.

Ms. Tomblin provided an overview of the ELC Network and its progress since January. A copy of the PowerPoint presentation was distributed for review.

Chair Herzfeld stated she has enjoyed participating in the work.

Ms. Forti stated the participants have become more excited and engaged after each meeting.

## **13. ECE Initiative Update**

Chair Herzfeld provided context and background information on the Early Care and Education Initiative. In the prior year, Measure A was very close to passing, but did not garner enough votes. Like Measure A, this new measure would impose a ½ cent sales tax in Alameda County until 2040-41 to expand access to childcare, preschool, and early education for families.

Commissioner Chan stated the new initiative will have the same policy priorities as the prior measure. The group plans to move forward with a grass roots, community based led campaign. UCSF Benioff Children's Hospital Oakland (CHO) would like to partner with the initiative. CHO is willing to commit to a high level of fundraising to support the campaign.

Ms. Spanos thanked Chair Herzfeld and Commissioner Chan for their work related to the initiative. Ms. Spanos also thanked Ms. Forti for her work of facilitating the draft ordinance process for the new initiative.

Ms. Spanos introduced Mr. Tom Willis from Remcho, Johansen & Purcell to provide a briefing to Commissioners on the progress of the ordinance language. Mr. Willis provided an overview of the draft

ordinance distributed to the Commission. The target is to deliver the ordinance by July 18<sup>th</sup> and submit a letter of intent to place the measure on the ballot in 2020.

**14. State Commission and Association Updates**

Ms. Spanos stated that she, Ms. Tomblin and Ms. Erika Kuempel, Communications Specialist attended the First 5 Advocacy Day in Sacramento on May 1<sup>st</sup>. They participated in eight successful legislative visits.

On May 14<sup>th</sup>, Ms. Spanos participated in a meeting with California Health and Human Services Secretary Dr. Mark Ghaly, with Executive Directors from First 5 LA and Monterey. They discussed Help Me Grow, Early Care and Education workforce efforts in Alameda County, and the role of First 5, in partnership with local systems, to evolve local systems of care and support children, families, and communities.

Ms. Spanos announced the agency will be hosting the statewide Association meeting and the First 5 State Commission meeting in late July.

**15. Legislation and Public Policy Update**

Ms. Spanos presented the legislation and public policy update. A handout of the State Budget Bills was distributed for review.

**16. Communication from Commissioners**

Commissioner Chan stated the Supreme Court will not be holding the census press conference today.

Commissioner Chawla stated there would be an Assembly hearing today for a California Vaccine Bill.

Commissioner Coffin commented on the State Budget Bills handout and thanked the staff for a great summary. Commissioner Coffin stated that the Alameda Alliance for Health is working in partnership with Alameda County on the "Food as Medicine" partnership. There is also a Healthy Home program being funded through the Affordable Care Act. The Alliance just received approval to move forward with a partnership for a pediatric pilot that will provide preventive services for children.

**17. Adjournment**

Chair Herzfeld adjourned the meeting at 11:12 AM.



Draft October 2019

ALL MEETINGS ARE SUBJECT TO CHANGE. MEMBERS OF THE PUBLIC CAN CALL 510-227-6900 TO VERIFY DATE AND TIME.

## 2020 MEETING CALENDAR

MONTH	EXECUTIVE COMMITTEE 9:00 AM – 10:30 AM	COMMISSION 9:00 AM - 11:30 AM	AGENDA ITEMS
<b>FEBRUARY</b>	Thursday, February 13 1115 Atlantic Ave. Alameda Conference Room E	Thursday, February 20 1115 Atlantic Ave. Alameda Conference Room A	<ul style="list-style-type: none"> <li>Election of Officers</li> <li>Mid-Year Budget Modification</li> <li>Mid-Year Investment Update</li> <li>Investment Policy Revisions</li> </ul>
<b>APRIL</b>	Thursday, April 9 1115 Atlantic Ave. Alameda Conference Room E	Thursday, April 16 1115 Atlantic Ave. Alameda Conference Room A	<ul style="list-style-type: none"> <li>First reading of FY 2020-21 Budget</li> <li>First reading of FY 2020-21 Strategic Plan</li> <li>First reading of Long Range Financial Plan</li> <li>First 5 CA Annual Report</li> </ul>
<b>JUNE</b>	Thursday, June 11 1115 Atlantic Ave. Alameda Conference Room E	Thursday, June 18 1115 Atlantic Ave. Alameda Conference Room A	<ul style="list-style-type: none"> <li>Final approval of FY 2020-21 Budget</li> <li>Contract Authorizations</li> <li>Final Approval of FY 2020-21 Strategic Plan</li> <li>Final Reading of Long Range Financial Plan</li> <li>Financial Policies Revisions</li> <li>ACERA 401(h)</li> <li>Personnel Policies</li> <li>GASB 54 Fund Balance Commitment</li> </ul>
<b>AUGUST</b>	Thursday, August 13 1115 Atlantic Ave. Alameda Conference Room E	Thursday, August 20 1115 Atlantic Ave. Alameda Conference Room A	
<b>OCTOBER</b>	Monday, October 5 1115 Atlantic Ave. Alameda Conference Room E	Thursday, October 15 1115 Atlantic Ave. Alameda Conference Room A	<ul style="list-style-type: none"> <li>FY 2019-20 Financial Audit Report</li> </ul>
<b>DECEMBER</b>	Thursday, December 3 1115 Atlantic Ave. Alameda Conference Room E	Thursday, December 10 1115 Atlantic Ave. Alameda Conference Room A	<ul style="list-style-type: none"> <li>F5AC Annual Report</li> </ul>



**To:** First 5 Alameda County Commission  
**From:** Christine Hom, Finance Officer  
**Date:** October 17, 2019  
**Subject:** Adoption of FY 2018-19 Financial Audit

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**REQUESTED ACTION**

To review and adopt the FY 2018-19 financial audit.

**BACKGROUND**

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

**AREAS COVERED BY FY 2018-19 FINANCIAL AUDIT:**

The audit firm of RS Associates conducted the FY 2018-19 financial and expanded audits (for state compliance) and has provided an unqualified opinion.

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

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

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

The sections of the audit package are as follows.

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

The final audit report will be presented to the Commission by Ragini Singh of RS Associates on Thursday, October 17, 2019.

**RECOMMENDATION**

That the Commission adopt the FY 2018-19 financial audit.

Submitted by:

Reviewed by:

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Christine Hom  
Finance Officer

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Kristin Spanos  
Chief Executive Officer



**To:** First 5 Alameda County Commission  
**From:** Christine Hom, Finance Officer  
**Date:** October 17, 2019  
**Subject:** Contract Authorizations

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**REQUESTED ACTION**

To review the following contract authorizations.

**BACKGROUND**

Per our Financial Policies, Section VII. Purchasing and Contracting, the Commission must approve contract/award amounts in excess of \$50,000. The following awards require specific authorization from the Commission.

**Community Centered Evaluation and Research (CCER) - \$150,000**

First 5 Alameda County is requesting approval of a new FY2019-21 \$150,000 contract with Community Centered Evaluation and Research (CCER) to conduct a cross-site evaluation of Neighborhoods Ready for School (NRFS) grantee programs. First 5 conducted a competitive Request for Proposal process for this work and of the proposals submitted, CCER was selected. This evaluation will assess First 5's NRFS investment (financial and capacity-building) in terms of neighborhood and family impact, sustainability, policy/system changes and will provide guidance on next steps for the NRFS strategy and First 5's policy advocacy work. CCER will work with First 5 staff and current NRFS grantees to synthesize existing data sources and measures as well as collect and analyze additional supplemental data utilizing a developmental and participatory framework.

Fiscal Impact: Funding is budgeted and provided by Prop 10.

Action requested: Approve a FY 2019-21 \$150,000 award with Community Centered Evaluation and Research.

**East Bay Community Law Center (EBCLC) - \$50,000**

First 5 Alameda County is requesting sole source approval of a new FY 2019-20 \$50,000 contract with the East Bay Community Law Center to provide legal consultation and support to families referred by the agency's direct service programs (e.g. HTHC, HMG, ECE). EBCLC will utilize a similar approach used with the Project DULCE program within a "Social Indicators of Justice" framework

which seeks to address the underlying causes of poverty, economic and racial inequality in order to increase justice and improve opportunities in the areas of economic security, education, health and welfare, housing, and immigration. First 5 currently has a FY 2019-20 \$30,000 contract with EBCLC to provide legal consultation and support to Highland Hospital Pediatric Department’s Project DULCE Family Specialist and selected families. The addition of this \$50,000 contract brings the aggregate award amount to \$80,000 for which Commission approval is needed.

Fiscal Impact: Funding is budgeted and provided by Prop 10.

Action requested: Approve an aggregate FY 2019-20 \$80,000 award with East Bay Community Law Center.

**The Oakland Marriott City Center - \$110,000**

First 5 Alameda County is requesting sole source approval of new FY2019-20 \$110,000 contract with the Oakland Marriott City Center to host the 2020 Alameda County Fatherhood Summit on June 20, 2020. Costs include but are not limited to conference space to accommodate 1000 attendees (i.e. general session for 1000), plus 10-15 break-out rooms, hotel staffing for facility set up and break down of event space, catering (breakfast, lunch, and refreshments), and hospitality services including staffing for meals, break times, and janitorial services.

Fiscal Impact: Funding is budgeted and provided by Prop 10.

Action requested: Approve a FY 2019-20 \$110,000 award with The Oakland Marriott City Center.

**RECOMMENDATION**

That the Commission approve the above contract authorizations.

Submitted by:

Reviewed by:

\_\_\_\_\_  
Christine Hom  
Finance Officer

\_\_\_\_\_  
Kristin Spanos  
Chief Executive Officer





**To:** First 5 Alameda County Commission

**From:** Lyssa DeGolia, Human Resources Administrator

**Date:** October 17, 2019

**Subject:** Employee Handbook Revisions

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#### **ACTION REQUESTED**

To review the proposed revisions to the Employee Handbook.

#### **BACKGROUND**

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

#### **RECOMMENDATION**

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

- Page 5: Reasonable Accommodation - remove language that could appear to restrict First 5 from fully engaging in the interactive process
- Page 6: Adoption of new Attorney-recommended Policy Prohibiting Harassment & Discrimination
- Page 10 & 14: Remove sections on Employing Commissioners & Executive Benefit Package because they don't apply to all employees
- Page 11: Define temporary employee assignment length for health benefits offered
- Page 12 & 13: Clarify how Life Insurance, FSA plans, COBRA the Flexible Benefit Credit and Payment in Lieu work
- Page 13 & 14: Remove sections on Long-Term Disability and Employee Assistance program and add to the Additional Benefits section, include other benefits offered
- Page 18: Grant up to 5 days per occurrence for Bereavement Leave, instead of per calendar year
- Page 20: Remove section "No leave to accept outside employment". If this type of leave is requested it would be denied.

- Pages 20 to 24: Clarifying & simplifying Leave Policies
- Page 24: Refining the Catastrophic Leave Bank policy/process
- Page 26: Adding definition for a pay day that falls on a holiday.
- Page 26: Remove work schedule details that conflict with other policies & more accurately call the “Flexible Schedule” a “9/80” schedule.
- Page 27: Remove unnecessary Payroll Deductions Section
- Page 30: Update Telecommuting to Remote Work & Clarify the process for short- & long-term arrangements
- Page 30: Simplify Children in the Workplace policy
- Page 32: Remove section on free parking
- Page 32: To ensure implementation uniformity and to minimize liability to First 5, only HR provides authorized reference information
- Page 33: Modify email policy to a more enforceable policy
- Page 35: Remove section of Social Media Policy regarding references & endorsements
- Page 36: Minor update to work-related situations for conduct & clarification to Open Door Policy
- Page 37: Minor modification from verbal warning to record of counseling & supervisor role
- Page 38: Revise language concerning outside employment and Conflicts of Interest
- Page 39: Better defining notice period
- Page 39 & 40: Simplify Reduction in Workforce policy language for clarity
- Per legal review remove references to pre-employment and onboarding processes such as:
  - Page 7: Presenting documentation for hire
  - Page 7: Signing Mandated Reporter Statement
  - Page 7: Driving as an essential function
  - Page 31: Signing Personal Automobile Agreement
  - Page 33: Signing the Technology Use Agreement
  - Page 37: Signing Incompatible Activities Statement

First 5 recommended changes as part of legal review:

- Pages 14 & 15: Allow the flexibility to offer long-term temporary employees paid vacation and holidays
- Page 15: Allow new employees to use vacation after 3 months instead of 6 months
- Page 18: Add pro-rated Jury and Witness Duty pay for regular part-time employees
- Page 19: To align with our core mission, vision, and values, expand paid parental leave to cover the full period an employee is paid through Paid Family Leave for baby bonding leaves. Current policy is 4 weeks. This change expands pay for 6 weeks and then 8 weeks on July 1, 2020 when Senate Bill (SB) 83 goes into effect.
- Page 27: Adding trilingual pay to align with Alameda County’s practices
- Page 31: Update Attire policy to align with current practices
- Page 39: Limiting vacation use to extend the notice period
- Throughout the document we clarified the level of approval required for policies and updated titles:
  - HR is responsible for the Catastrophic Leave Bank Process
  - Director replaces CEO/COO approving personal leave of absence requests
  - HR is responsible for approving Remote Work schedules
  - HR is responsible for scheduling Exit Interviews
  - Director of Operations & Technology approves overtime

**RECOMMENDATION**

To review and approve the proposed Employee Handbook revisions.

Submitted by:

Reviewed by:

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Lyssa DeGolia  
Human Resources Administrator

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Kristin Spanos  
Chief Executive Officer



## Employee Handbook

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## **Welcome**

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

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

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

Sincerely,

Kristin Spanos, Chief Executive Officer

## **Our Vision**

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

## **Our Mission**

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

## **Part One: Introduction**

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

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

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

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

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

### **At-Will Employment**

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

### **Equal Opportunity**

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

### **Reasonable Accommodation of Protected Disabilities**

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

Any complaints or concerns regarding reasonable accommodation should be directed promptly to the Human Resources Administrator. ~~Applicants and employees are encouraged to bring complaints to F5AC’s attention promptly, so we can address them promptly. The Human~~



~~Resources Administrator will investigate the complaint and make a recommendation to the Chief Executive Officer.~~

~~The Chief Executive Officer will make a determination regarding whether a reasonable accommodation can be provided. As part of this complaint resolution procedure, the Chief Executive Officer may require the applicant/employee and a F5AC representative to meet to discuss potential reasonable accommodations and to try to agree on a specific reasonable accommodation. The Chief Executive Officer will have the authority to determine which reasonable accommodation, if any, will be provided.~~

### **Policy Prohibiting Harassment & Discrimination**

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

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

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

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

- submission to conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- submission to or rejection of conduct by an individual is used as the basis for employment decisions affecting such individual; or

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

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

### **External Agency Complaint Procedure**

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

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

### **Retaliation**

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

## **Part Two: Employment and Hiring Policies**

### **Work Eligibility**

~~To comply with federal law, all employees must be legallylawfully authorized to work in the United States. All employees must present documentation establishing identity and~~

~~authorization to work in the United States to Human Resources before they are permitted to begin work at F5AC.~~

Employees who will be working alone with children are required to be fingerprinted prior to employment. Employees who will work directly with families are required to pass a TB test prior to employment, and periodically during the course of 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 to be mandated reporters ~~and must sign a statement agreeing to comply with the reporting requirements, prior to commencing employment and as a prerequisite to that employment.~~ Employees are provided with training on these reporting procedures during their introductory period.

~~Driving is an essential function of certain jobs at F5AC. Employees in these roles must have a valid California driver's license, personal automobile insurance and the ability to meet the driving record requirements for coverage under F5AC's non-owned auto liability policy. Such drivers are required to sign an Authorization of Release of Driver Record Information for F5AC insurance purposes at the commencement of employment. Assignment of driving responsibilities is conditional upon receipt of a satisfactory report from the State of California, Department of Motor Vehicles. If an applicant or employee cannot meet these requirements due to a disability or medical condition, he/she should notify the Human Resources Administrator to discuss possible accommodations.~~

### **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. An employee's successful completion of the introductory period does not alter the employee's "at will" status and does not guarantee continued employment for any time period. Under certain circumstances and at its sole discretion, F5AC may extend an employee's introductory period for up to an additional 90 days.

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

### **Employee Classifications**

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

- Exempt Employee: An executive, administrative, or professional employee who is exempt from the overtime pay requirements of applicable law.
- Non-exempt Employee: An employee (generally paid by the hour) who is eligible to receive overtime pay for overtime hours actually worked.

- **Regular Full-Time Employee:** An employee who is regularly scheduled to work forty (40) hours or more per workweek.
- **Regular Part-Time Employee:** An employee who is regularly scheduled to work at least twenty (20), but fewer than forty (40) hours per workweek.
- **Temporary Employee:** An employee who is hired on a full- or part-time basis for a specified period of time, usually not to exceed twelve (12) months.
- **Intern:** A temporary employee hired on a full- or part-time basis for a specified period of time, usually not to exceed twelve (12) months, to further a degree, and usually attached to an accredited University program.
- **On-Call Employee:** An employee who is not regularly scheduled to work a specified number of hours in any given workweek, but who is called in to work on an as-needed basis.

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

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

### **Job Postings**

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

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

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

### **Hiring Relatives**

Employees' or Commissioners' relatives may apply for F5AC positions.

To avoid conflicts of interest, or appearances of conflicts, F5AC established these guidelines:

1. Employees & Commissioners may not conduct a job interview of, or make employment-related decisions involving, relatives.
2. 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 (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 each other and with other employees working at F5AC.

### ~~Employing Commissioners~~

~~To preserve the objectivity and integrity of F5AC's Commission, Commission members must resign from the Commission prior to applying for any role at F5AC.~~

## Part Three: Employee Development

### Performance Management

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

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

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

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

## Professional Development

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 engages local trainers to present trainings that support employees' desired growth. These trainings are offered free to employees and require supervisor approval to attend. Supervisors are encouraged to allow employees to attend these trainings as work requirements allow.

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

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

## Part Four: Employee Benefits

### Health Insurance

Employer Sponsored Health Insurance (medical, dental and vision insurance) is offered as part of the benefits package to regular, full-time employees and regular, part-time employees who regularly work 20 hours or more per week. F5AC contributes to the cost of premiums for the employee, spouse/domestic partner and/or eligible dependents, up to an amount determined annually by F5AC. If an employee chooses health insurance that costs more than the employer contribution, the balance of the cost is paid by the employee on a pre-tax basis through payroll as applicable by law. The employer contribution is only used to offset the health premiums and may not be used for other purposes or 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 regular employees. Any balance of premium costs is paid by the eligible temporary employee on a pre-tax basis through payroll. Temporary employees who work fewer than 30 hours per week and have temporary assignments lasting fewer than 60 days are not eligible for F5AC health insurance.

F5AC reserves the right to change medical, dental and vision insurance plans and benefits under those plans, to change the employer share of premium payments for the plans, or change the amount it pays employees who opt out of the plan(s) (see "Payment in Lieu" section), with or

without notice, consistent with any legal obligations it may have. In general, the employer share of premiums is determined prior to each Open Enrollment period.

For the purposes of health insurance coverage, "eligible dependent" is defined as spouse or domestic partner and eligible dependent children who are 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. ~~For information about current annual election limits and a comprehensive list of reimbursable expenses, please review the FSA materials provided by Human Resources or visit [www.wageworks.com](http://www.wageworks.com).~~

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

~~No refunds of money left in an individual's flexible spending account are given at the end of the plan year. This means that employees participating in the plan need to estimate expenses carefully. The FSA Medical plan expires on your last day of employment unless you chose to take COBRA for the FSA.~~

### **COBRA Insurance Continuation**

When insurance ends, employees and covered dependents may have certain rights to remain on the insurance plan at their own expense ~~for up to eighteen (18) months (more in some cases)~~ through COBRA. More information regarding COBRA coverage, costs, and administrative procedures is available from Human Resources.

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

### **Payment In Lieu**

Regular employees may choose not to enroll in employer sponsored health insurance if they have proof of medical insurance through another source. Regular employees who sign a waiver receive a "Payment in Lieu" of benefits at a set rate each pay period (pro-rated for part-time employees to the percent of time regularly scheduled to work). This amount is reviewed annually, generally prior to each Open Enrollment period, and F5AC reserves the right to change the amount of the Flexible Benefit. ~~First 5 Alameda County will pay employees who opt~~

~~not to enroll in any form of Agency provided medical, dental or vision insurance \$137.50 each pay period (pro-rated for part-time employees to the percentage of time regularly scheduled to work). 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 an in lieu payment.

### **Flexible Benefit Credit**

All regular, full-time employees receive an Annual Flexible Benefit Credit (“Flex Credit”) per calendar year. This amount is reviewed annually, generally prior to each Open Enrollment period, and F5AC reserves the right to change the amount of the Flex Credit. ~~The Flex Credit may only be applied to pre-tax options.~~ 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. ~~The benefit may only be applied to the following pre-tax options:~~

- ~~1. The Employee’s share of the health/dental premium,~~
- ~~2. The purchase of supplemental Life Insurance (for the employee), or~~
- ~~3. The funding of a Health Flexible Spending Account (HFSA)~~

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

### **Life Insurance**

Regular employees who work 20 or more hours per week are eligible to apply for basic \$25,000 life and accidental death and dismemberment insurance benefit paid for by F5AC. Employees may also elect supplemental coverage at their own expense, with premium payments made on a pre-tax basis through payroll under F5AC’s Cafeteria (Section 125) Plan. Additionally, employees may elect supplemental life insurance for their spouse/domestic partner and/or dependent children at their own expense. These premiums are paid on an after-tax basis through payroll deduction. Supplemental life insurance may only be elected at the time of hire or open enrollment and, depending on the amount requested and election date, may be subject to underwriting and approval by the insurance company.

### **Long Term Disability Insurance**

~~All regular full-time and part-time employees who are regularly scheduled to work 20 or more hours per week may apply to purchase long term disability insurance. Payment for this purchase is made by the employee through an after-tax payroll deduction.~~

### **Employee Assistance Program (EAP)**

~~All regular employees are provided with access to an Employee Assistance Program, which offers a variety of confidential services and benefits at low or no cost. Information about the program and how to access it is available from Human Resources.~~



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

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

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

## **457 Deferred Compensation Plan**

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

## **Workers' Compensation**

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

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

## **Additional Benefits**

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

## **Executive Benefit Package**

~~The Commission may provide an Executive Benefit Package to the Chief Executive Officer. The package is at the discretion of the Commission. Any Executive Benefit Package must be detailed in writing, signed by the Commission Chair and the Chief Executive Officer, and placed in the Chief Executive Officer's employee file.~~

## **Part Five: Paid Time Off**

## Vacations

F5AC provides paid vacation time to certain eligible ~~regular~~ employees so that they may take time off to relax, recuperate and recharge.

Regular full-time employees earn paid vacation time on the following schedule, beginning ~~with the first day of regular employment~~ 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)

Regular 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 ~~six~~ months after your first day of employment.

Employees may accrue vacation time up to 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. After reaching this accrual cap, the accrual stops until vacation time is taken to reduce the employee's balance to below the cap. Any unused vacation time is rolled over into the following year, up to the cap.

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

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

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

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

## Holidays

F5AC generally observes the following holidays:

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

Full-time regular employees are provided a paid day off for each F5AC-recognized holiday. Part-time regular employees and employees with a flexible work schedule who are regularly scheduled to work on one of the above identified holidays are paid for that holiday up to the number of hours they are regularly scheduled to work. Certain long-term temporary employees may be eligible for paid holidays, if approved in writing by the CEO. No other employee classifications are eligible for this benefit.

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

### **Paid Time Off (PTO)**

All regular full-time employees receive 56 hours (7 days) of paid time off (PTO) each year in addition to vacation and paid sick leave and F5AC's regular holidays. PTO allows employees to have additional paid leave to cover absences for personal reasons such as religious observances. Eligible employees receive 56 hours of PTO on January 1 each year; eligible employees hired during a calendar year receive a PTO allocation at the time of hire that is prorated based on the hire date. Eligible employees may request to use PTO on or following the day that it is received, including new employees who may request to use PTO during their introductory period. Requests to use PTO should be submitted as soon as possible. Please note that F5AC may not be able to approve all time off 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 paid time off to recover from illness or injury, to care for medical needs of family members, or for any other reason permitted by law, including for an employee who is a victim of domestic violence, sexual assault or stalking to obtain relief, such as medical attention and psychological counseling. For purposes of this section "family

member" means mother, stepmother, father, stepfather, husband, wife, domestic partner, son, stepson, daughter, stepdaughter, grandparent, grandchild, brother, sister, foster parent, foster child, mother-in-law, and father-in-law, or any other person sharing the relationship of in loco parentis; and, when living in the household of the employee, a brother-in-law or sister-in-law.

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

### **Accrual and Payment**

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

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

Regular 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. Sick time balances for temporary employees may not be carried over to the next year. Instead, temporary employees receive a new grant of three days (24 hours) of paid sick time every January 1.

No payment is made for accrued, unused sick time at termination or at any other time. However, regular employees who are rehired within twelve (12) months will have their sick leave balance at the time of separation reinstated. Temporary employees who are rehired within 12 months from their date of separation will also have their sick leave balance reinstated and will be provided with three days of sick time, as described above, up to a combined maximum of six (6) days of sick time.

### **Sick Time Use**

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

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

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

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

### **Jury or Witness Duty**

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

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

### **Bereavement Leave**

Time off with pay due to a death in the immediate family of a regular full-time employee may be granted for a period up to five days per occurrence per calendar year. Regular part-time employees may be granted bereavement leave pro-rated based on the percent of time regularly scheduled to work. "Immediate family" means mother, stepmother, father, stepfather, husband, wife, registered domestic partner, son, stepson, daughter, stepdaughter, grandparent, grandchild, brother, brother-in-law, sister, sister-in-law, foster parent, foster child, mother-in-law, and father-in-law, or any other person sharing the relationship of in loco parentis with the employee. Temporary employees may request unpaid time off for bereavement leave. Please contact Human Resources if you need to take Bereavement Leave.

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

F5AC employees who are unable to work due to illness, injury, or pregnancy disability may be eligible for disability benefits through State Disability Insurance (SDI) for the time they are unable to work. SDI is an employee paid benefit that provides to employees deemed eligible by the state partial replacement of wages lost because of a disability not caused by work. The determination of benefits is up to the state Employee Development Department (EDD). The first seven calendar days of an employee's absence are considered a "waiting period," and SDI benefits are generally not paid during that period. Information and claim forms are available from the local EDD office or the EDD website.

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

The state-administered Paid Family Leave (PFL) insurance program is an employee-paid benefit that provides to employees deemed eligible by the state partial wage replacement when an

employee is taking approved time off work to care for a seriously ill family member (as defined by the state), or to bond with a newborn or newly-placed child.

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

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

### **Paid Leave**

~~Employees are entitled to 4 weeks of paid leave for bonding with their newborn, an adopted child or a child placed in foster care with an employee. This benefit will be paid in coordination with the state to employee whether mother or father, and prior to using earned sick, PTO or vacation time. This time cannot be cashed out. This benefit can only be paid to 1 parent at any time per year.~~

### **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 the outside benefit amounts and dates paid to Human Resources.

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

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

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

## **The Following General Information is Applicable to All Unpaid Leaves**

### **Requests for Leave**

As soon as an employee learns of the need for a leave of absence, the employee should submit a written request for leave to their supervisor and provide a copy 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 less 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 Running of 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.

### **~~No Leave to Accept Outside Employment~~**

~~A request for a leave of absence with or without pay for the purpose of working for an employer other than F5AC will not be granted.~~

### **Unpaid Leaves**

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

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

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

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

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

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

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

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

Employees on approved FMLA/CFRA leave retain their employer-paid health insurance ~~up to a maximum of 12 weeks in a rolling 12-month period. Employees who are concurrently taking pregnancy disability leave ("PDL") remain covered by F5AC health insurance during their approved PDL.~~

~~Employees who are eligible for and request baby bonding leave under CFRA may request additional unpaid leave, but total leave taken may not exceed six (6) months when combined with PDL and/or FMLA/CFRA unless otherwise required by law.~~

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

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

Employees ~~who have at least one year of continuous service with F5AC, and~~ who are not eligible for leave under the FMLA/CFRA may nonetheless request a leave for any of the reasons allowed for FMLA/CFRA leaves. The employee must provide evidence of one of the reasons for leave as stated in the FMLA/CFRA and provide 30 days' notice if the need for the leave is foreseeable.

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



An employee ~~whose medical condition with a protected disability temporarily precludes them from working under the Americans with Disabilities Act (“ADA”) and/or the Fair Employment and Housing Act (“FEHA”)~~ may request an unpaid medical leave of absence as a reasonable accommodation ~~that will enable the employee, after the leave, to return to work and perform the essential functions of his/her position with or without a reasonable accommodation.~~

F5AC will generally require the employee to obtain and provide reasonable medical documentation from a health care provider verifying the employee’s temporary inability to work in support of the leave request. ~~Reasonable medical documentation is that which sets forth: 1) the name and credentials of the health care provider; 2) that the employee has a medical condition or physical or mental condition that limits a major life activity; and 3) a description of why the employee needs a leave of absence as a reasonable accommodation in order to perform his/her job duties.~~

The duration of leave under this section will depend on the circumstances involved, which F5AC will evaluate on a case by case basis.

Employees on leave under this section must exhaust accrued paid sick, PTO, and vacation time during the leave.

Employees who ~~are have otherwise eligible receiving for paid active~~ health insurance with F5AC at the time they request this leave, ~~and who are not concurrently taking FMLA/CFRA or PDL leave,~~ will continue to be covered by health insurance through the end of the month in which the unpaid portion of their leave begins. Afterwards, employees may continue coverage under F5AC’s group insurance plans at their own expense pursuant to COBRA.

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

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

Employees who are disabled and unable to work due to pregnancy, childbirth, or a related condition are eligible to request a leave of up to four months per pregnancy. ~~Related conditions include, but are not limited to, severe morning sickness, the need for prenatal or postnatal care, postpartum depression, gestational diabetes, preeclampsia, mastitis, and loss or termination of the pregnancy and recovery therefrom.~~

PDL does not need to be taken all at once, but can be taken on an as-needed basis as required certified by the employee’s health care provider, ~~including intermittent leave or a reduced work schedule, all of which counts against the employee’s four month entitlement, and certified by the health care provider.~~

Employees on PDL are required to use accrued sick time during the leave, and may elect to use, or not to use, accrued vacation and PTO. ~~However, employees who are FMLA-eligible, and concurrently taking PDL leave, and receiving benefits under SDI, may use their accrued 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 on PDL retain their employer-paid health insurance during their approved leave (e.g., up to a maximum of four months). Eligible employees who take CFRA leave for baby bonding (or other qualifying reason) following their PDL leave, may receive employer-paid health insurance for up to an additional 12 workweeks.

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

### **Workers' Compensation Leave**

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

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

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 ~~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 who have active health insurance with F5AC at the time of their leave, and who do not have FMLA/CFRA leave running concurrently, will have 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.

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

### **Personal Leave of Absence**

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

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

All regular employees of F5AC who have completed their introductory period may request an unpaid personal leave of absence. Job performance, attendance, and work/program

requirements are all taken into consideration before a request is approved. Requests for unpaid personal leave may be denied or granted by F5AC within the sole discretion of the Agency.

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

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

~~While on an unpaid personal leave, insurance benefits may be continued at the employee's own expense.~~

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

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

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

### **Catastrophic Sick Leave Bank**

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

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

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

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

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

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

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

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

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

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

~~When using donated CL bank leave, disability benefits will be integrated with donated sick leave, just as they are when non-donated sick leave is used.~~

## **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 receive pay on the prior work day.

### **Work Schedules**

The regular work schedule is from 8:30 a.m. to 5:00 p.m. Monday through Friday. Some employees may have different work hours and 9/80 Schedules if agreed in writing by the employee and their supervisor, and reviewed by Human Resources, subject to the demands and limitations of the job and department. ~~Supervisors have final approval for flextime requests and retain the authority to require the employee to return to a regular schedule should organizational need require it. Additional information about flextime options is available from Human Resources.~~

### **9/80 schedule**

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

### **Meal Periods**

Non-exempt employees who work five (5) hours or more should take an unpaid lunch break of a minimum of thirty (30) minutes (up to one (1) hour if desired) towards the middle of their work day during which no work should be performed. When being relieved of all duties during lunch is not possible due to work requirements of F5AC, employees will be paid for their meal period. Employees may not skip meal breaks to shorten the workday without prior approval from their supervisor.

### **Timekeeping Requirements**

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

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

### **Overtime Pay**

F5AC provides overtime compensation to non-exempt employees for all hours worked in excess of 40 hours per workweek. All overtime must be approved in advance by the supervisor and the Director of Operations and Technology ~~the Chief Executive Officer (or the Chief Operating Officer in the CEO's absence).~~

At the option of the employee, F5AC provides compensatory time off (CTO) as a substitute for overtime pay. For all hours worked in excess of 40 in the workweek, the employee receives 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 under this policy must have a written CTO agreement on file with HR in advance of performing the overtime work. When the employee takes off the compensatory time earned will be determined between the employee and the supervisor; however, employees are encouraged to take compensatory time off as soon as possible after it is earned. F5AC will not unreasonably deny such requests.

Vacation, PTO, holiday, and sick time do not constitute hours worked for the purposes of computing overtime.

### **Bilingual & Trilingual Pay**

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

Prior to any recommendation or approval for this special pay is made, the employee must first pass a language proficiency exam administered through F5AC's designated testing agency. A passing score is 70% and if the eligible employee passes the test, and F5AC approves, a 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 contact Human Resources to schedule testing for eligible employees. Supervisors must also confirm that the employee is continuing to use the second/third language at least 20% of the time and reauthorize bilingual/trilingual pay on an annual basis.

### **Payroll Deductions**

~~Your payroll and earnings deductions are detailed with your paycheck. Mandated and voluntary deductions usually include the following:~~

~~Mandated Deductions~~

~~Voluntary Deductions~~

~~Federal income tax  
State income tax  
Social Security, Medicare contributions  
State disability insurance  
Garnishments, wage attachments  
Employee contribution to ACERA~~

~~Health and Dental insurance  
Health Flexible Spending Account  
Dependent Care Flexible Spending Account  
Supplemental Life Insurance  
Deferred Compensation  
Long Term Disability Insurance~~

~~Any questions about your paycheck should be directed to the Human Resources Administrator or Finance Manager.~~

## **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 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 all of the following:

- Unauthorized use, possession, purchase, sale, manufacture, distribution, transportation, or dispensation of alcohol or drugs
- 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, the employee should inform the supervisor of that fact prior to commencing work.

### **Smoking**

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

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

### **Punctuality & Attendance**

If employees are unable to work as scheduled, they must let their immediate supervisor know prior to the start of the work day or 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 generally tolerated.

## **Facilities & Property Use**

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

## **Visitors**

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

## **Security**

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

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

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

## **Breastfeeding-Friendly Workplace**

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

F5AC provides:

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



## Children in the Workplace

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

While we are sensitive to our employee's 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.

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

~~Situations like these should occur infrequently and not be a regular way of managing the employee's childcare obligations. If the frequency, length or nature of children in the workplace becomes problematic, the employee will be advised of the situation by his/her supervisor and will be expected to take corrective action.~~

## 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 ~~informal~~ short-term, such as occasionally working from home for a short-term project with the pre-approval of the supervisor/manager, or ~~formal~~ long-term as described below. All ~~informal~~ Remote Work arrangements are made on a case-by-case basis at the discretion of the supervisor and are memorialized in writing in advance. ~~While informal Remote Work arrangements are not the focus of this policy, supervisors should know~~ 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 ~~even if only on an informal basis~~, 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 ~~and require approval by the CEO~~. 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.

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.

### **Personal Automobile Use**

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

~~All F5AC employees sign a Personal Automobile Agreement and employees whose job descriptions require driving sign an Authorization of Release of Driver Record Information during their onboarding.~~

### **Attire**

~~First 5 Alameda County's objective in establishing guidelines for work attire~~ Attire at F5AC should enable our employees to be comfortable in the workplace, while also projecting a professional image to co-workers, clients, partners, volunteers, and the general public.

The following guidelines have been developed to provide general parameters for appropriate work attire and to help you exercise good judgment about items not specifically addressed. A clean and neat appearance should be maintained at all times. ~~If employees should wear casual business attire on Mondays through Thursdays, and a clean and neat appearance should be maintained at all times. Casual business attire may include denim skirts or dark, colored, or trouser style jeans as long as they are professional in appearance and the employee does not have meetings or other work scheduled where customary business attire would be more appropriate. F5AC observes "casual Fridays" on which other styles of jeans may be worn, as long as they are appropriate for the workplace, and you are not otherwise notified that~~

~~business casual attire is more appropriate on a particular Friday. Under special circumstances (storage clean up, moving furniture, working with children, etc.) casual attire may be worn on work days other than Fridays upon supervisor approval.~~ In all situations, clothing should be comfortable and practical for work, but not distracting, revealing or offensive to others. Torn, frayed, ripped, messy or overly casual clothing are not considered appropriate for the office.

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

### **Expense Reimbursement**

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

### **Parking**

~~Employees are provided with free parking at the F5AC office.~~

### **References**

F5AC provides limited reference informations about current and former employees to prospective employers. References may only be provided by Human Resources or the employee's supervisor (or supervisors higher in the line of supervision). Supervisors are trained on appropriate reference practices and guidelines.

F5AC only discloses employment dates, job titles and earnings .

~~without a signed Reference Authorization & Release form. This form is provided to all employees in their exit checklist.~~

~~Prior to providing a reference, the prospective employer must complete a waiver form releasing F5AC from claims, damages or liabilities that could result from providing the reference. Contact Human Resources for a copy of the form. Whenever an employment reference is given, the employee giving the reference completes an Employee Reference Record Form to document the information provided.~~

~~This form and the waiver must be given, to Human Resources within one day of the reference.~~

~~Only job related information is provided and employees providing references ensure that the information is accurate and truthful. Examples of information that may be shared include, but are not limited to information, either positive or negative, regarding performance, team/interpersonal behaviors, attendance, productivity, work quality, etc. When providing~~

~~references, supervisors and human resources staff are strongly encouraged to access the employee's performance reviews to ensure accurate information is provided. Under no circumstances should information be provided regarding any protected characteristic regarding the employee (such as race, religion, national origin, health, medical condition, disability status, childrearing, sexual orientation, veteran status, etc.). Nor should any information be provided regarding workers' compensation history, complaints about alleged discrimination, political views, or similar matters unrelated to job performance.~~

## **Part Ten: Communication & Technology**

### **Technology, Voicemail and Email**

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

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

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

~~All employees are required to sign F5AC's Technology Use Agreement during their onboarding and periodically during employment.~~

### **Social Media**

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

*Social Media* includes all means of communicating or posting information or content of any sort on the Internet whether or not associated or affiliated with F5AC. The same principles and guidelines found in F5AC's policies apply to your activities online that may relate to F5AC.

Ultimately, you are solely responsible for what you post online. Keep in mind that any conduct on social media or otherwise that adversely affects your job performance, the performance of fellow employees, or otherwise adversely affects staff, volunteers, contractors/grantees, vendors, or any other people who work on behalf of or receive services from F5AC is not permitted.

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

### **Always be respectful**

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

### **Be honest and accurate**

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

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

- Maintain the confidentiality of F5AC's confidential, private, or sensitive information (see the Confidentiality policy contained in Part Eleven of this Handbook for examples). Do not post internal reports or memos, policies, procedures or other internal business-related confidential or sensitive communications.
- Do not create a link from your blog, website or other social networking site to a F5AC website without identifying yourself as a F5AC employee.
- Express only your personal opinions, and never represent yourself as a spokesperson for F5AC. If F5AC is a subject of the content you are creating, be clear and open about the fact that you are an employee of F5AC; make it clear that your views do not represent those of F5AC and you are not speaking on behalf of F5AC. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of F5AC."
- Do not use your F5AC email address to register on social networks, blogs, or other online tools utilized primarily for personal/social purposes.

- Refrain from using social media while on work time or on F5AC's Technology Systems, unless it is work-related as authorized by your supervisor or consistent with F5AC's Technology Use Agreement.

### **References and endorsements**

~~Employees, including supervisors, are not to provide any references or statements of endorsement for other F5AC employees on social media sites. Any references provided must be done in accordance with our References policy contained in this Handbook.~~

### **F5AC's social media presence**

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

### **Employee Information & Records Inspection**

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

Employees have the right to inspect employee records relating, e.g., to their performance or to any grievance concerning them, or otherwise as permitted by law. Employees wishing to inspect personnel records may do so during regular office hours, after a written request is made to the Human Resources Administrator. An inspection request form is available from Human Resources and also on the F5AC intranet that employees may use to make their request. Records will be made available for inspection within 30 days of receipt of the written request. An appointment to inspect the file is made with the Human Resources team, who is present with the employee while they inspect the file. Employees may receive copies, at their own cost, of any document in their employee file to the extent required by law. Employee records are the property of F5AC and are not allowed to be taken from Human Resources without prior written authorization.

### **Internal Communication**

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

### **Media Relations**

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

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## Part Eleven: Conduct

### Workplace Conduct

F5AC requires employees' cooperation, efficiency, productivity, and compliance with all policies and procedures. We treat each other with dignity and respect at all times at work and [in work-related situations](#)~~outside the work environment~~.

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

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

### Open Door Policy

F5AC has an open door policy that encourages employee participation in decisions affecting them and their daily professional responsibilities. Employees who have a different opinion, misunderstanding or conflict with another F5AC employee are encouraged to address the situation directly with the employee(s) involved, [if it is appropriate and safe to do so](#). We also encourage employees who have job-related problems or complaints to talk them over with their supervisor or a manager at any level of management. We believe that employee concerns are best addressed through informal and open communication.

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

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



## Disciplinary Procedures

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

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

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

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

## Conflict of Interest

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

~~All employees sign an Incompatible Activities Statement when hired and periodically during employment as part of F5AC's Ethics Training program.~~

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

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

Any employee needing advice about a potential conflict of interest should contact the Finance Officer or Human Resources Administrator. ~~If an employee's outside activity constitutes a conflict of interest or incompatible activity, F5AC may require the employee to end the outside activity to continue employment.~~ Outside employment that may or does create a conflict of interest with the employee's employment at F5AC will not be permitted.

## **Confidentiality**

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

Confidential matters include, but are not limited to:

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

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

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

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

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

## Part Twelve: Ending Employment

### Voluntary Termination

In all cases of voluntary resignation (e.g., separation of employment that is voluntarily initiated by the employee), employees are asked to provide a written notice to their supervisor at least 10 working days in advance of their expected last day of work. All employees are asked to give a minimum of two (2) weeks' written notice of resignation. If F5AC asks an employee who has voluntarily resigned to leave our employ before the end of the notice period (for example, if a replacement is to begin immediately), the employee will be paid for the entire notice period, up to a maximum of two weeks.

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

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

### Payroll and Returning F5AC Property

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

### Reduction in Workforce

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

In its sole discretion, F5AC determines: when and whether it is necessary for a reduction in force (RIF); which employees are affected by the RIF; and the implementation method. Generally, we give primary consideration to the program and F5AC's needs and circumstances. The following are guidelines we anticipate using. F5AC does not know future circumstances and funding and reserves the right to change the below at any time, at its sole discretion.

- To reduce the need for a potential RIF, employees may be hired for temporary positions, with the duration of the position dependent on funding. Employees hired for temporary positions are not eligible for severance pay but may be eligible to receive outplacement services at the conclusion of the temporary position.
- F5AC may reduce positions through attrition instead of RIF.
- F5AC may require a furlough (e.g., require employees to work fewer hours per week or take a specified period of time off work without pay). During the period of furlough, F5AC will attempt to maintain employees' health and dental insurance benefits at the

same level as they were prior to the furlough for a period not to exceed eighteen (18) months.

- F5AC may reduce positions from full-time to part-time depending on program needs and funding availability. If F5AC reduces a position to part-time, we will attempt to maintain the employee's health and dental benefits at the same level immediately prior to the hours reduction for a period not to exceed eighteen (18) months, and subject to any future changes in the F5AC's benefit package. Employees who voluntarily request a part-time schedule are not eligible for this benefit.
- ~~F5AC may eliminate positions. We will determine if the RIF will occur on an agency-wide basis or in one or more programs, departments, and/or classifications. Continued employment with F5AC for employees affected by the RIF will be based on the following factors:~~
  - ~~Availability of open vacant positions within F5AC~~
  - ~~Transferability of skills to other positions within F5AC~~
  - ~~Demonstrated strong current and past performance~~
  - ~~Evaluation of these factors will be within the sole discretion of F5AC. If these factors are equal between two or more employees of the same classification in the same program, then length of service will be the deciding factor for continued employment.~~

### **Length of Service**

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

### **Notice**

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

### **Severance Pay**

If positions are eliminated due to RIF, F5AC may authorize severance pay of two weeks' regular base salary or pay (e.g., the employee's regular base salary or regular straight-time hourly wages for the time period), ~~but not irregular pay (such as accrued vacation leave paid out during the time period)~~, less applicable tax and other withholdings, for every year of continuous ~~full-time~~ service (according to the above length of service definition), not to exceed eighteen (18) weeks of pay. If severance pay is authorized, it will be paid in one lump sum on or after the termination date, and, according to ACERA, is not pensionable.

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

In addition to severance pay, F5AC may also make a payment equivalent to \$500 per year of service (as defined above in the length of service definition), but not to exceed \$3,000 total, to

help with the cost of health insurance. This payment, if authorized by F5AC, will be made in one lump sum, and will be issued at the same as severance pay. To receive the payment described in this paragraph, if authorized, employees must first sign a waiver releasing F5AC from any and all liability from their employment with F5AC and their separation from employment. Refusal to sign the waiver within the allowed period and/or lawful revocation of the waiver renders an employee ineligible to receive severance pay.

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

### **Outplacement Services**

Employees whose positions are eliminated in a RIF, or who were hired for temporary positions in connection with a RIF, may be eligible for F5AC outplacement services. These services are designed to help F5AC employees find positions in Alameda County where they can continue to use their skills and expertise on behalf of children aged 0-5 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.

~~F5AC reserves the discretionary right to interpret, administer, and terminate or alter this policy at any time upon approval by the F5AC Commission.~~



## Acknowledgment

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

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Employee’s Name (Printed)

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Employee’s Signature

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Date

## Change Log

Item	Date
Original adoption of Employee policies adopted by Commission	5/21/2004
Addition of fingerprinting under “Work Eligibility” – approved by Commission	5/26/2005
Medical and Dental Insurance sections rewritten to reflect current benefit structure – approved by Commission	5/26/2005
Addition of “Tools and Technology” section – approved by Commission	5/26/2005
“Floating Personal Days” and “Personal Use Time” merged under “Paid Time Off (PTO)” – approved by Commission	5/26/2005
“Unpaid Time Off and Leaves of Absence” section reformatted to include matrix of leaves – approved by Commission	5/26/2005
Addition of “Bilingual Pay” section – approved by Commission	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	5/22/2008
Change in Full Time Status definition	5/22/2008
Addition of Professional Development section	5/22/2008
Addition of Payment in Lieu section	5/22/2008
Addition of Long Term Disability section	5/22/2008
Addition of Children in the Workplace section	5/22/2008
Addition of Remote Work section	5/22/2008
Addition of References section	5/22/2008
Deleted Position Description section	5/22/2008
Formatting	2/25/2009
Year End Manual Clean-up – reviewed by Executive Committee	6/25/2009
Addition of Paid Family Leave section	6/25/2009
Addition of Breastfeeding-Friendly Workplace section	6/25/2009
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	6/24/2010
Addition of modifications to sick leave policy - approved by Commission on 12/10/09	6/24/2010
Deleted Tools and Technology benefit – approved by Commission on 12/10/09	6/24/2010
Addition of Personal Leave of Absence	6/24/2010
Year End Manual Clean-up – Reviewed by Executive Committee	12/8/2011
Addition of Child Abuse Reporting and Confidentiality policies	12/8/2011
Deletion of Lent to Other Government or Educational Institution Leave	12/8/2011
Addition of Temporary Military Duty 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	5/23/2013
Revisions to Unpaid Leave section, including deletion of the Matrix format, addition of Reasonable Accommodation Leave, and deletion	5/23/2013

of Educational, Temporary Military Duty and Military Leaves	
Separation of Pay Periods into Pay Periods and Work Schedules	5/23/2013
Addition of Social Media	5/23/2013
Addition of Media Relations	5/23/2013
Year End Handbook Clean-up – Reviewed by Executive Committee	6/26/2014
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	6/16/2016
Title change from “Employee Policies and Procedures Handbook” to “Employee Handbook”	6/16/2016
Addition of “Paid Time Off” usage during Introductory Period	6/16/2016
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 Eligibility of Dependent Children of Temporary Employees	6/16/2016
Addition of Employer Share of Health and Dental Premiums for Temporary Employees and Their Eligible Dependents	6/16/2016
Addition of Definition for Eligible Dependents	6/16/2016
Addition of Vacation Time off Requests	6/16/2016
Addition to “Workplace Conduct” Section	6/16/2016
Addition to Leaves of Absence – Paid Leave	8/18/2016
Addition to Work Hours and pay – Flex schedule	8/18/2016
Edit language to Leaves of Absence – Paid Leave	6/15/2017
Week of Christmas Off - Approved by Commission on 12/14/17	12/14/2017
3% Cola Eff. 01/26/18 - Approved by Commission on 12/14/17	12/14/2017
In Lieu update from \$125 per month to \$137.50 per month	12/14/2017
Year End Handbook Clean-up – Approved by Commission	6/21/2018
Extension of Employee’s Introductory period	6/21/2018
Edit Language to Leaves of Absence - Unpaid	6/21/2018
Edit language to Paid Sick Time	6/21/2018
Edit Language in Workplace Conduct	6/21/2018
Edit language to include vision insurance coverage; clarify F5AC employer contribution	12/13/2018
Edit language to clarify eligibility of receiving Payment in Lieu for waiving health benefits	12/13/2018
Delete language regarding a waiting period for CA Paid Family Leave	12/13/2018