

## **Handbook Revisions effective February 17, 2023**

### **Hours of Work, Meal Periods and Schedules**

Generally, ASC is open for business from 8:00 a.m. to 5:00 p.m., Monday through Friday, although individual operations or projects may have different business hours. ASC's regular workweek is Sunday through Saturday, beginning at 12:01 a.m. on Sunday morning and ending at 12:00 a.m. the following Saturday night. Most employees are assigned a work schedule and are expected to begin and end their workday in accordance with their schedule. Daily and weekly work schedules may change from time to time at the discretion of ASC to meet varying needs of our business.

Employees are expected to observe their assigned meal and rest periods. With regard to rest periods, employees are authorized and shall take one (1) ten (10) minute rest break for every four (4) hours worked. This rest break should be taken during the middle of the work period as the work day permits. Employees should not leave the premises during the rest period.

A meal period is either thirty (30) minutes or one (1) hour, and it should be scheduled so that adequate office coverage is provided at all times. All non-exempt employees must take at least thirty (30) minutes unpaid lunch period when they work more than five (5) hours per day. If the total work period per day is no more than six (6) hours, the meal period may be waived by mutual consent of both ASC and the employee by signing a waiver form. Employees who work in excess of ten (10) hours in a workday are eligible to receive a second unpaid meal period of no less than thirty (30) minutes. If the total hours worked is no more than twelve (12) hours, the second meal period may be waived by mutual consent of the ASC and the employee only if the first meal period was not waived.

The specifics of your work schedule will be determined by your supervisor; and meal and rest periods may not be saved until the end of the schedule for the purpose of leaving early.

At times, emergencies such as power failures, road closings, earthquakes, fires or severe weather may interfere with ASC's operations. In such an event, ASC may order a temporary shutdown of all or part of its operations. Depending on the circumstances, time off may or may not be paid.

**Violation of this policy/procedure will be subject to a written warning up to including termination.**

## **Handbook Revisions effective January 1, 2023**

### **Bereavement Leave**

**All employees who have worked thirty (30) days or more are eligible for unpaid bereavement leave for the death of a family member. An employee may request up to five (5) days of paid leave due to the death of an immediate relative. An immediate**

relative is defined as the employee's spouse, children, parents, siblings, in-laws, legal guardian, grandparents, grandchildren, or members of the immediate household. The supervisor may request documents confirming the death of a family member - a death certificate, published obituary, or written verification of death, burial, or memorial service.

If additional time is required or in the event of a death of a family member not included in the definition, employees who wish to take leave to attend the funeral may request vacation or unpaid time off. If an employee requires bereavement leave, his or her supervisor should be notified as soon as practical of the need for leave. To receive pay, leave hours should be entered as a request or time sheet entry via the Time Clock Plus system. Bereavement leave is paid through an employee's sick pay accrual. Employees who have no leave accruals available may request time off without pay.

### **Policy Against Harassment**

ASC is committed to providing a work environment that is free of sexual harassment, as well as other unlawful harassment based on such factors as race, color, creed, religion, ancestry, sex, gender, gender expression, gender identity, pregnancy, sexual orientation, age for individuals over forty years of age, medical condition, military and veteran status, genetic information, marital status, reproductive health decision-making, national origin and physical or mental disability or any other consideration made unlawful by federal, state or local laws. In keeping with this commitment, ASC maintains a strict policy that prohibits unlawful harassment of employees by managers, supervisors or co-workers and unlawful harassment of students by any ASC employee. Visitors to the campus and workers employed by the University, by other auxiliaries, or by other public or private organizations engaged in business with ASC are expected to comply with this policy. The purpose of this policy is to (i) familiarize ASC's employees with the definition of unlawful harassment and the forms it can take; (ii) confirm that unlawful harassment will not be tolerated and is contrary to the standards of conduct expected and required of ASC's employees; and (iii) make clear that employees who engage in unlawful harassment are subject to possible disciplinary action which may include discharge. ASC also provides regular training to its supervisors and managers regarding this policy.

## **Medical Leave – California Family Rights Act**

Under the California Family Rights Act (“CFRA”), eligible employees are entitled to take medical leave and family care leave up to a combined total of twelve (12) weeks in any twelve (12)-month period. Where applicable, CFRA may run concurrent with FMLA.

To qualify for a medical leave or family care leave, an employee must have worked for ASC for at least twelve (12) months and must have provided at least 1,250 hours of service during the twelve (12)-month period prior to beginning each leave.

As determined by applicable law in effect at the time of said leave, a leave may be granted to an employee for the following reasons:

- (1) For the birth of a child or the placement of a child with the employee for adoption or foster care;
- (2) To care for a spouse, child, domestic partner, parent (includes biological, foster or adoptive parent, a parent-in-law, a stepparent, a legal guardian or other person who stood in loco parentis to the employee when the employee was a child), grandparent, grandchild, sibling, or a “designated person” (defined as any individual related by blood or whose association with the employee is equivalent of a family relationship) who has a serious health condition; or for the employee’s own serious health condition if the employee is unable to perform the essential functions of his or her job.

A “designated person” is limited to one “designated person” per twelve (12) month period.

A “serious health condition” means an illness, injury, impairment, or physical or mental condition that involves: (1) inpatient care in a hospital, hospice, or residential health care facility; or (2) continuing treatment or continuing supervision by a health care provider that also requires an absence from work or other regular daily activities of more than three (3) days.

Eligible employees are entitled to take family care and medical leave of absence up to a combined total of twelve (12) weeks in a twelve (12)-month period. Computation of the twelve (12)-month period is based on a rolling twelve (12) months. Leave for the birth, adoption or foster placement of a child must conclude within one (1) calendar year of the actual birth, adoption or placement. If both parents work for ASC, the parents’ combined leave for the birth or placement of a child may not exceed twelve (12) weeks during any twelve (12)-month period.

An eligible employee may take intermittent leave or may work a reduced work schedule for a serious health condition of the employee’s child, parent, spouse or for the employee’s own serious health condition when medically necessary and if certified

by a health care provider. If the need for the leave or intermittent leave is foreseeable, the employee should consult with ASC and make a reasonable effort to schedule any planned treatment in cooperation with ASC, if possible, in order to minimize disruption to the workplace.

Group health insurance coverage will continue for eligible employees taking family care or medical leave under this policy under the same terms and conditions that applied before the leave commenced. To continue health insurance coverage, the employee must continue to make any premium contributions that he or she was required to make prior to taking leave. Premium payments are due monthly and should be made payable to ASC and mailed or delivered to the Human Resources department. If an employee fails to pay his or her portion within thirty (30) days of the due date of a premium, his or her health insurance coverage may be canceled. In such cases, employees will be notified at least fifteen (15) days before coverage terminates.

Employees on family care or medical leave do not accrue benefits including holiday pay while on leave. Employees will not accrue vacation and sick pay while on leave. Vacation and sick pay will begin accruing when the employee returns to work. An employee who takes a family or medical care leave of absence will not lose any seniority earned prior to the commencement of family care or medical leave.

Family care and medical leaves are unpaid. An employee who is granted a family or medical care leave of absence will utilize any accrued but unused paid time off benefits (*i.e.*, vacation and sick leave) during the period of the leave. See Coordination of Benefits for additional information on this policy. Any portion of a leave that occurs after all paid time off benefits have been exhausted will be without pay.

#### *Coordination of Benefits: Required Use of Accruals*

Employees who take a leave of absence must coordinate benefits through State Disability Insurance (SDI) if eligible. SDI payments do not begin until after you have been absent from work for seven (7) calendar days. To receive SDI payments for the duration of your leave, any accrued sick leave will be used for the first seven (7) days before SDI payments begin. If you have no accrued sick leave, any accrued vacation will be used during the waiting period. SDI benefits do not replace all of your usual wages. Your SDI benefits will be supplemented with any accrued and unused sick leave. If you have no sick leave, or once you exhaust your sick leave, accrued and unused vacation will be used to supplement your SDI benefits.

Any unpaid or paid portions of this policy shall be added together and will not extend the 12- week total leave period limitation allowed under the family and medical leave policy.

Employees who need to take family care or medical leave should contact Human Resources as soon as they learn of the need for leave, even when they do not know the precise dates that leave will begin. If foreseeable, at least thirty (30) days' notice is required. For events that are not foreseeable thirty (30) days in advance, but are not emergencies, the employee must give notice within two (2) working days of learning

of the need for the leave. If ASC determines that the notice was inadequate, it may require the employee to delay his or her leave. If circumstances of the leave change and the employee is able to return to work earlier than indicated, the employee is required to notify Human Resources at least two (2) working days prior to the date he or she intends to return to work. Similarly, if an employee learns he or she will be unable to return to work on the date previously indicated, the employee is responsible for applying for an extension and furnishing a medical recertification for an extension, prior to the date that the leave expires.

An employee taking leave for the serious health condition of a family member or for his or her own serious health must provide ASC with certification from a health care provider on ASC's form, within fifteen (15) calendar days of ASC's request. Failure to provide a satisfactory medical certification may result in the denial of leave.

In cases of a leave for the serious condition of an employee, ASC may require the medical opinion of a second health care provider at its own expense, chosen by it to substantiate a medical certification. If the second opinion is different from the first, ASC may require the opinion of a third health care provider (also at its own expense) jointly approved by both ASC and the employee. The opinion of the third health care provider will be binding on both ASC and the employee.

If an employee requests an extension of leave beyond the time estimated by the health care provider, ASC will require recertification of the employee's or the family member's serious health condition. ASC also requires employees taking leave for their own serious health condition to present a Doctor's Release before returning to work. In no event will a leave be extended beyond the maximum twelve (12)-week period.

You may not be employed with any employer, other than ASC, during your leave of absence. Outside employment during your leave will result in immediate termination.

When an employee is able to return to work, he or she should give ASC at least two (2) weeks' notice. This is important so that the employee's return to work is properly scheduled.

Under most circumstances, ASC will reinstate employees to their former or equivalent position if they return from leave within twelve (12) weeks. Exceptions, however, may occur as permitted by law. For example, ASC cannot guarantee reinstatement if the employee is a salaried employee and among the highest paid ten (10) percent of all employees within a seventy-five (75) mile radius and reinstatement would cause substantial and grievous economic injury, or if the employee would have been subject to layoff or job elimination had the employee not taken leave. Employees should also understand that they have no greater right to reinstatement or to other benefits of employment than if they had continued to work during their leave.

Employees who do not return to work immediately upon the expiration of an approved leave of absence or within the maximum period allowed for the family care and medical leave will be considered to have voluntarily terminated from ASC.

Your continued absence from work because your leave must extend beyond thirty (30) weeks will normally be considered a voluntary resignation of your employment with ASC. The cessation or continuation of eligible benefits upon separation of employment is subject to the respective plan terms and conditions.