

# 2019 CEA Sample Handbook Updates

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Here are the updates made to the 2018 CEA Sample Handbook so it is up to date for 2019 based on best practices and legal updates. CEA strongly encourages you have your handbook reviewed annually by a CEA HR Director to ensure compliance with current labor and employment laws.

We also encourage you to attend one of our 2019 Labor Law Update Symposiums, so that you can ensure you are in compliance with the new laws that are in place for your specific industry.

If you have any questions regarding your handbook, or need assistance assembling it, please contact a CEA HR Director at 800-399-5331 or e-mail us at [CEAinfo@employers.org](mailto:CEAinfo@employers.org) and we will be happy to help you.

## Section 1 - Welcome – Violation of Policies

*Revised the second paragraph to read:*

Nothing in this handbook will be interpreted, applied, or enforced to interfere with, restrain, coerce employees or unlawfully restrict an employee's right to engage in any of the rights guaranteed to them by Section 7 of the National Labor Relations Act, including but not limited to, the right to engage in concerted protected activity for the purposes of improving working conditions.

*Reason for Change:* Clean up Language

## Section 1 – Discrimination and Harassment Policy

*Revised the policy to read:*

### Discrimination, Harassment and Retaliation Free Workplace

<b>This Section Is Required</b>
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We are an Equal Employment Opportunity employer. In order to provide equal opportunities to all individuals, employment decisions will be based on merit, qualifications, skills and performance.

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting, such as during business trips, business meetings and business-related social events.

We have a strict policy against discrimination, harassment and retaliation of any type and our goal is to provide a work environment free from discrimination, harassment, and retaliation as well as other disrespectful or other unprofessional conduct based on any protected class: race, color, religion (including religious dress and grooming practices), national origin, age (40 and over), medical condition, physical or mental disability, marital status, sex (including sexual harassment, sex stereotypes and pregnancy, childbirth and related medical conditions), sexual orientation, ancestry, genetic information/ characteristics, gender, gender identity, gender expression, transgender, military or veteran status, or any other characteristic or activity protected by law .

We also prohibit discrimination, harassment, retaliation, disrespectful or unprofessional conduct based on the perception that anyone has any of the above characteristics or is associated with a person who has or is perceived to have any of those characteristics.

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## Harassment Prohibited

Our policy prohibiting harassment applies to all persons involved in operations of the company. It covers harassment of any employee, unpaid intern, volunteer, applicant, contractor, vendor, or any person who has a business, service, or a professional relationship with us. .

**Harassment prohibited by this policy is not limited to sexual harassment, but includes harassment against any of the categories described above.**

Prohibited harassment, disrespectful or unprofessional conduct includes many forms of offensive behavior.

Harassment can be:

- Verbal (derogatory jokes or comments, epithets, slurs, unwanted invitations, comments, messages, social media posts, any communication through any type of electronic media that is harassing or discriminatory)
- Visual (displays of derogatory or sexually oriented written or graphic material, posters, photography, digital material, gestures)
- Physical (assault, unwanted touching, intentionally blocking someone's movement)
- Threatening, intimidating or hostile acts
- Negative stereotyping

Here are some types of behaviors that may be violations of this policy:

- Making sexually suggestive comments, jokes, advances or offering employment benefits in exchange for sexual favors.
- Teasing, bullying, making fun of or making derogatory remarks about someone's age, race, sexual orientation, disability or gender.
- Posting, passing around or displaying sexually suggestive or obscene printed materials or objects.
- Gender-based harassment including harassment by someone of the same sex as the victim.

Additionally, abusive conduct, defined as any conduct of an employer or employee in the workplace, with malice, that a reasonable person would find hostile, offensive, and unrelated to an employer's legitimate business interests will not be tolerated.

## Discrimination Prohibited

We do not discriminate in employment opportunities or practices on the basis of any protected class. We are committed to compliance with all applicable laws providing equal employment opportunities. Unlawful discrimination against job applicants, employees, or unpaid interns by any of our employees is strictly prohibited.

This policy governs all aspects of employment, including hiring, promotion, job assignment, compensation, discipline, access to benefits, training, termination or other aspects of employment.

## Non-Retaliation

It is also prohibited for supervisors, managers and co-workers, as well as third parties such as vendors or customers, to retaliate against an employee because the employee has complained about discrimination, harassment, retaliation, abusive conduct, or participated in an investigation, proceeding or hearing based on such a complaint. Retaliation is a serious violation of this policy.

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## Complaint Procedure

All employees are responsible for creating and maintaining a positive work environment. If you believe you have been a victim of discrimination, harassment, retaliation, or if you have witnessed discrimination, harassment, or retaliation that violates our policy, it is important that you take steps to address it immediately so that complaints can be promptly and fairly resolved.

If you are comfortable doing so, talk to the person whose behavior is bothering you and ask the person to stop. Regardless, it is imperative that you

- Report any discrimination, harassment, or retaliation directly to your Supervisor or any member of management or human resources as soon as possible after the incident. Please provide as many details of the incident as possible.

Supervisors are required to report any incidents/complaints of discrimination, harassment, or retaliation of which they observe or become aware immediately to the [HR manager, personnel manager, President].

A prompt, fair, thorough and objective investigation of the complaint will be conducted by an impartial and qualified person. Documentation will be maintained to ensure reasonable progress. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Reasonable conclusions based on the evidence collected will be reached and the complaint will be closed in a timely manner.

Upon completion of the investigation, and where warranted, appropriate corrective action will be taken to eliminate the discrimination, harassment, harassment, sexual harassment, or retaliation. Corrective action may include, but is not limited to, training, counseling, reassignment and/or discipline, up to and including termination. Appropriate action will also be taken to deter future conduct.

To the extent possible, the investigation of a complaint and any subsequent action taken in response to the complaint will proceed in an atmosphere of confidentiality. Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action. Employees who have raised complaints should immediately make a further complaint should the conduct reoccur.

You may also bring your complaint to the federal or state agency that investigate or prosecute complaints. A complaint of discrimination, harassment or retaliation may be filed within one year of the harassment, discrimination or retaliation with the California Department of Fair Employment and Housing ("DFEH"). The DFEH initially serves as a neutral fact-finder and attempts to help the parties voluntarily resolve the complaint. The DFEH can be contacted at (800) 884-1684; or for the hard of hearing, (TTY) (800) 700-2320; or visit the department's website at [www.dfeh.ca.gov](http://www.dfeh.ca.gov). A complaint of discrimination, harassment, or retaliation, also may be filed within 300 days of the harassment, with the Equal Employment Opportunity Commission (EEOC), reached by calling (800) 669-4000 or for the hard of hearing, (800) 669-6820. EEOC field office information is available at [www.eeoc.gov](http://www.eeoc.gov).

*Reason for Change: Combined Discrimination and Harassment policies. Rearranged statements for better policy comprehension. Added Clean up language. Note to Employer: This policy change also changes the corresponding acknowledgement pages at the end of the sample handbook.*

## Section 1 - Welcome - Disabilities

*Renamed and revised policy to read:*

### Reasonable Accommodation of Disabilities

**NOTE TO EMPLOYER:** The following section applies only to employers with **five or more** employees. Do **NOT** insert this policy unless you have 5 or more employees.

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The Americans with Disabilities Act (ADA) and the Fair Employment and Housing Act (FEHA) protect qualified employees with disabilities from discrimination in the workplace.

.If you need a reasonable accommodation in order to perform the essential functions of your job, please notify [HR, Office Manager, Owner]. Once you have notified us, we will make every effort to open up a dialogue with you in attempt to determine whether we can make a reasonable accommodation for your disability.

At no time will we discriminate, harass, or retaliate in any way against you for making your accommodation request.

*Reason for Changes: Added policy applicability and added clean up language.*

## Section 1 - Welcome - Personal Appearance

*Changed the following statement to read:*

No visible tattoos or body piercings other than a maximum of two earrings per ear is permitted.

*Reason for Change: Clean up language.*

## Section 1 - Welcome – Paydays and Pay Periods

*Changed the policy to read:*

Our workweek is [Sunday through Saturday]. During weeks in which the regular payday falls on a holiday, all paychecks will be issued to you on [Choose One: the last regular workday preceding/the first regular workday following] the holiday. Should we decide to change the payday schedule, you will be given no less than seven calendar days' advance notice of the change.

You should notify your Supervisor if you have a question regarding the calculations of your paycheck; any corrections will be noted and will appear on the following check. If you wish to have someone else pick up your paycheck, you must give a written authorization to payroll each time.

### Options: Choose One Statement

You will be paid in full once every calendar week on \_\_\_\_\_. The pay period will be the previous \_\_\_\_\_ through \_\_\_\_\_.

You will be paid in full once every two calendar weeks on \_\_\_\_\_. The pay period will be the previous two weeks of \_\_\_\_\_ through \_\_\_\_\_.

You will be paid in full semimonthly on the \_\_\_\_\_ ( ) and the \_\_\_\_\_ ( ). Paychecks received on the \_\_\_\_\_ ( ) will be for time worked from the 16<sup>th</sup> through the end of the previous month. Paychecks received on the \_\_\_\_\_ ( ) will be for time worked from the first through the 15<sup>th</sup> of the current month.

*Reason for Change: Clarified payday statements and added clean up language*

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## Section 2 - Wage and Hour Guidelines – Non-exempt Employees

*Changed the following paragraphs in this section to read:*

The workday is a 24-hour period. Our workday begins at \_\_\_\_\_ and ends at \_\_\_\_\_ p.m. You will be paid for all hours worked. Pay for time worked will be computed from the time you register in for work until you are effectively released from duty and register out.

### Meal, Rest and Recovery Periods

Failure to take meal or rest periods is a violation of Company policy. If you are not provided with a meal or rest break, or your breaks are interrupted, you must notify a supervisor immediately. Failure to abide by this policy will result in discipline up to and including termination.

### Rest Periods

Non-exempt employees are entitled to rest break period(s) during their workday. You are authorized and permitted one 10-minute net rest break for every four hours you work (or major fraction thereof, which is defined as any amount of time over two hours). A rest break need not be authorized for employees whose total daily work time is less than three and one half hours.

If you wish to take an authorized rest period and believe you are unable to, you must speak with your Supervisor who will ensure that you get a rest period.

### Meal Period

Whenever you work more than five hours in any workday, you are authorized and permitted a minimum thirty minute-unpaid, **uninterrupted**, duty-free meal period during which time you will be relieved of all duty and free to leave the premise. Your Supervisor may schedule such meal periods and post the schedule.

The meal period should be taken prior to completing your fifth hour of work unless you are scheduled to work six hours or less, and we mutually agree in writing that the meal period may be waived.

You are also authorized and permitted a second unpaid, uninterrupted, duty-free meal period of thirty minutes whenever you work for a period of more than 10 hours in any workday. The second meal period should be taken prior to the beginning of your 11<sup>th</sup> hour of work, unless you are scheduled to work 12 hours or less, and we agree in writing not to take a second meal period.

Notify a Supervisor if you are not provided a meal break or it is interrupted.

### Recovery Period

You will not be required to work during any “recovery period” mandated by any applicable statute, regulation, standard or order of OSHA or Cal/OSHA. “Recovery period” means a cool down period afforded an employee to prevent heat illness.

*Reason for Change: Clean Up Language*

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## Section 2 - Wage and Hour Guidelines – Lactation

*Changed the policy to read:*

If you request an accommodation in order to express breast milk during the workday, you will be granted a reasonable amount of time, to run concurrently if possible, with paid rest periods already provided. Time taken for this purpose that exceeds rest period time already provided will be unpaid.

*Reason for Change: Clean Up Language*

## Section 2 - Wage and Hour Guidelines – Time Clock and Time Cards/Time Sheets

*Changed the following paragraphs to read:*

You are required to accurately record all hours worked, meal periods, holiday, sick, vacation/PTO time and other approved leave time. The time clock is located at \_\_\_\_\_. All time cards/time sheets} must be properly completed, and you are responsible **only** for your own time card/sheet.

You are to sign your time card/sheet to attest that the hours recorded are accurate and are the total hours that you worked. You should not sign any time card/sheet that is inaccurate. Notify your Supervisor immediately if there are any changes. You may not change anyone else's time card/sheet or allow anyone else to manage your time card/sheet.

If you are a nonexempt hourly employee, do not sign your time sheet if you have not been provided all required meal and rest breaks. Failure to notify a supervisor that you have not been provided meal and rest breaks is a violation of company policy.

*Reason for Change: Clarifying and clean Up Language*

## Section 3 - Benefits – Paid Time Off (PTO) or Vacation

*Deleted Eligibility Based on Calendar Year option. Revised the following paragraphs:*

We understand the importance of balancing personal and career goals. . Therefore, we provide vacation/paid time off as a benefit to eligible employees for [Insert for PTO Plans Only: illness, medical and dental appointments,] personal time off, and vacations.

### Eligibility

Employees who are regularly scheduled to work \_\_\_\_\_ hours per week are eligible to earn PTO/vacation. Employees who are regularly scheduled to work at least \_\_\_\_\_ hours per week are eligible to accrue a pro-rated amount of PTO/vacation.

### Accrual

You do not earn or accrue PTO/vacation time off benefits until you have completed \_\_\_\_\_ calendar [days/months] or more of continuous employment. Until you have completed this period of continuous employment and have accrued enough hours being requested off, you are not entitled to take paid time off. Once eligible, you will accrue time based on regular hours paid as follows:

*Reason for Change: Deleted Eligibility Based on Calendar Year option based on DLSE rules. Added clarifying and clean up language.*

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## Section 3 - Benefits – California Paid Sick Leave/Healthy Workplace, Health Families Act - Use

*Revised the following paragraph:*

If the need for paid sick leave is foreseeable, you must provide reasonable advance notice to your Supervisor. If the need for paid sick leave is unforeseeable, you must provide notice to your Supervisor as soon as practicable. Appointments should be scheduled either at the beginning or the end of your workday whenever possible. If you become sick during the day, you must inform your Supervisor before you leave the facility.

*Moved this paragraph under the heading Pay*

Paid sick leave will be integrated with California State Disability Insurance (SDI) benefits and/or workers' compensation insurance benefits in such a way that the total sick leave benefits paid by the Company, and those you receive from SDI or workers' compensation insurance, will not exceed 100 percent of your regular weekly wage based on your regular straight-time hourly rate of pay.

*Reason for Change:* Clean up language

## Section 3 - Benefits – Holidays

*Revised the following statements/paragraphs:*

We observe the following holidays:

Employees regularly scheduled to work \_\_\_\_\_ hours per week are eligible to receive pay for these observed holidays. Employees who are regularly scheduled to work at least \_\_\_\_\_ hours per week are eligible to receive pay for these observed holidays on a pro-rated basis..

Eligible employees will be paid for our observed holidays if all of the following conditions are fulfilled:

- You have been on the payroll for a period of \_\_\_\_\_ continuous days/months.
- You are regularly scheduled to work on the observed holiday.
- You have worked the full assigned scheduled workday immediately preceding and following the holiday, unless on an authorized vacation, paid sick day or excused absence.

When the facility is closed for the holiday, eligible employees will be paid for such observed holiday on the basis of \_\_\_\_\_ hours pay at the eligible employee's regular straight-time hourly rate of pay.

When the facility is closed for the holiday, eligible part-time employees will be paid for such holidays on a prorated basis.

### Optional Sample statements

- If you work on one of the above observed holidays, you will be paid your regular straight-time hourly rate of pay for all hours worked on the holiday, receive an additional day off to be taken in the same month as the observed holiday.
- If you work on one of the above observed holidays you will be paid [time-and-one-half/double time /triple time] your straight-time hourly rate of pay for all hours worked on the holiday.
- If you are an eligible employee and your vacation falls within a week in which a holiday observed by us occurs, you will not be charged for vacation on the holiday.

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- Floating Holidays may be used by scheduling in advance with your Supervisor. Multiple Floating Holidays may be used together with vacation.

*Reason for Change:* Added clarity and clean up language

### **Section 3 - Benefits – COBRA/CAL-COBRA**

*Revised the policy to read:*

#### **COBRA/Cal-COBRA (Benefits Continuation)**

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) [NOTE TO EMPLOYERS of 2-19 EMPLOYEES, replace with: California Continuation Benefits Replacement Act (Cal-COBRA)] gives you and your beneficiaries the opportunity to continue health insurance coverage under our health plan when a “qualifying event” would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment or death of an employee; a reduction in your hours or a leave of absence; your divorce or legal separation; you become entitled to Medicare; or a dependent child no longer meets eligibility requirements.

Under COBRA/Cal-COBRA, you or your beneficiary pays the full cost of coverage at our group rate plus an administration fee. You will receive a written notice describing rights granted under COBRA/Cal-COBRA when you become eligible for coverage under our health insurance plan. The notice contains important information about your rights and obligations.

*Reason for change:* Eliminated unnecessary information

### **Section 3 – Benefits – Education Assistance Program**

*Revised the following bullets to read:*

- You must receive **prior** approval from your Supervisor and the head of your department.
- You must achieve a grade “\_\_\_” or better.

*Reason for change:* Clean up language

### **Section 3 – Benefits – Employee Tool Insurance**

*Moved policy to Section 6 – On the Job after hand tool policy.*

*Reason for Change – Handbook Organizational Change*

### **Section 4 – Leave of Absence/Time Off – General Information – Seniority During Leave**

*Revised the following paragraph to read:*

For all other leaves, you will not accrue seniority during your leave but you will not forfeit previously accrued seniority.

*Reason for change:* Clarification concerning other possible leaves of absence

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### Section 4 – Leave of Absence/Time Off – On the Job Illness/Injury Related Leave of Absence

*Revised the following paragraphs to read:*

We will grant a workers' compensation disability leave if you have an occupational illness or injury in accordance with state law. We will try to reasonably accommodate you with modified work, where such work would be appropriate and is available. {Include if you are an FMLA/CFRA Employer}: If you are eligible for a FMLA/CFRA leave, then leave taken for workers' compensation disability will run concurrently with FMLA/CFRA leave.

Neither the Worker's Compensation insurer nor the Company will be responsible for payment of workers' compensation benefits for any injury that arises out of your voluntary participation in any off-duty recreational, social, or athletic activity that is not part of your work-related duties. Workers' compensation fraud is cause for immediate termination.

*Reason for Change:* Clean up language

### Section 4 – Leave of Absence/Victims of Violent Crimes, Domestic Abuse or Sexual Assault

*Revised the policy to read*

#### Victims of Domestic Abuse, Sexual Assault, or Stalking

*NOTE TO EMPLOYER: All California employers must provide victims of domestic violence sexual assault or stalking with time off to handle legal matters and must also provide reasonable accommodation.*

***Employers with 25 or more employees must provide these victims time off for medical treatment.***

*It is strongly recommended that all employers provide employees with the following notice.*

We will not discriminate against you if you are a victim of domestic violence, sexual assault or stalking for: taking time off from work to obtain or attempt to obtain any relief, including but not limited to, a temporary restraining order, restraining order, or other injunctive relief to help ensure the health, safety or welfare of you or your child; taking time off to appear in court to comply with a subpoena or other court order as a witness in any judicial proceeding

#### **Insert this section only if you have 25 or More Employees**

Time off will also be granted, if you are a victim of domestic violence, sexual assault or stalking and need to take time off from work to seek medical attention for injuries caused by the domestic violence or sexual assault, to obtain services from a domestic violence program, to obtain psychological counseling related to the domestic violence or sexual assault, or to participate in actions to increase safety from future domestic violence or sexual assault, including temporary or permanent relocation.

Please provide us with reasonable advance notice before you take time off. If, however, you are unable to provide advance notice, please provide proof explaining the reason for your absence within a reasonable time. Proof can be a police report, court order or doctor's or counselor's note or similar document

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You may use available vacation, personal leave, or accrued paid sick leave for your absence. Even if you don't have paid leave available, you still have the right to unpaid time off.

You can ask for a reasonable accommodation to make sure you are safe at work. To facilitate your request, you will need to provide a signed statement certifying that your request is for a proper purpose. We will also need proof of your status as a victim of domestic violence. (Any of the proof described above is acceptable.)

*Reason for Change:* To clarify a number of key aspects to this leave

### **Section 4 – Leave of Absence - Time Off for Crime Victims**

*Revised the following paragraphs to read:*

We will not discriminate against you if you take time off to appear in court to comply with a subpoena or other court order as a witness in any judicial proceeding. You may take time off from work, without fear of discrimination, harassment, or retaliation if you, an immediate family member (spouse, registered domestic partner, child, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father, or stepfather) are a victim of a violent or serious felony, or of felony theft or embezzlement.

If you are a crime victim and suffered direct or threatened harm, you may also be granted leave to be heard at any proceeding where your rights are at issue. Please contact \_\_\_\_\_ for more information regarding leave for proceedings involving crime victims' rights.

*Reason for Change:* Clean up language

### **Section 4 – Leave of Absence - Pregnancy Disability Leave (PDL)**

*Added the acronym (PDL) after the Policy Title*

*Revised the following paragraphs to read:*

If you are disabled due to pregnancy, childbirth, or related medical condition, you may take up to a maximum of four (4) months leave per pregnancy. "Four months" means the number of days you would normally work within four calendar months (one-third of a year equaling 17-1/3 weeks), if the leave is taken continuously, following the date the pregnancy disability leave commences. If your schedule varies from month-to-month, a monthly average of the hours worked over the four months prior to the beginning of the leave shall be used for calculating your normal work month. A pregnancy disability leave does not need to be taken in one continuous period of time, but can be taken on an as needed basis.

Employees who are granted leaves for pregnancy will be returned to their same or similar position to the extent required by state law. Upon the advice of your health care provider, you may also be entitled to reasonable accommodation, to the extent required by law, for conditions related to pregnancy, childbirth or related medical conditions. You should promptly notify the Company of the need for a reasonable accommodation.

Prior to the start of the leave, the Company will require a written medical certification indicating that you are disabled because of pregnancy or that it is medically advisable for you to be reasonably accommodated for pregnancy. The certification should include an anticipated date when you will be able to return to your job or job duties. In the event your leave exceeds the anticipated date of return, it is your responsibility to provide further certification from your health care provider that you are unable to perform your job or job duties and the revised anticipated date of return.

*Reason for Change:* Clean up language

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## Section 4 – Leave of Absence – Civil Air Patrol Leave

*Revised the following paragraph to read:*

Volunteer members of the California Wing of the Civil Air Patrol may take up to 10 days of unpaid leave per year when called to respond to an emergency operational mission. To qualify for this leave you must be an employee for at least 90 days immediately preceding the commencement of the leave and you will be required to give us as much notice as possible of the intended leave dates.

*Reason for Change:* Clean up language

## Section 4 – Leave of Absence – New Parent Leave

*Revised the following paragraphs to read:*

We will grant leave to new parents in accordance with state law in effect at the time the leave is granted. To be eligible for New Parent Leave Act benefits, you must: (1) have worked for us for a total of at least 12 months; (2) have worked at least 1,250 hours over the previous 12 months; and (3) work at a location where at least 20 employees are employed within 75 miles.

If eligible, you may receive up to a total of 12 weeks of unpaid leave during a 12-month period. Leave may be used for the purpose bonding with a new child within one year of the child's birth, adoption, or foster care placement.

Should a leave or an extension be requested and granted providing for leave longer than 12 workweeks in any 12-month period, such leave or extension will generally not contain a guarantee of reinstatement to the same or an equivalent position. You will be advised at the time the leave or extension is granted what conditions apply to that leave or extension.

*Reason for Change:* Clean up language

## Section 4 – Leave of Absence – Family School Partnership Leave

*Revised the policy to read:*

### Family School and Child Care Partnership Leave

<i>NOTE TO EMPLOYER: This applies to employers with 25 or more employees working at the same location</i>
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We encourage you to participate in the school or child care activities of your child(ren). If you are the parent or guardian of children in kindergarten through grade 12 or who are with a licensed a child care provider, you may take up to 40 hours per calendar year for the purpose of protected school or childcare - related activities and enrollment. You may also use this time to address a child care provider or school emergency, including unexpected closure, natural disaster, or discipline problems.

Time may not exceed eight hours in any one calendar month- unless the time off is for a school or childcare emergency as defined by law.

Please provide your Supervisor with as much advance notice as possible. This time will be without pay but you may use accrued paid time off.

*Reason for Change:* Added clarity

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## Section 4 – Leave of Absence – Family Medical Leave Act (FMLA)/California Family Rights Act (CFRA) Leave

*Revised the following paragraphs to read:*

If eligible, you may receive up to a total of 12 workweeks of unpaid leave during a 12-month period (26 weeks for military caregiver leave). A 12-month period begins on (calendar year, employee's anniversary date, fiscal year, the date of your first use of federal family and medical leave). Successive 12-month periods commence on [calendar year, employee's anniversary date, fiscal year, the date of your first use of such leave after the preceding 12-month period has ended]. Leave may be used for one or more of the following reasons:

- An employee who is the spouse, son, daughter, parent, or next of kin of a covered service member shall be entitled to a combined total of 26 workweeks of leave during a 12-month period to care for the service member.

Under some circumstances, you may take family and medical leave intermittently – which means taking leave in smaller blocks of time - or by reducing your normal weekly or daily work schedule.

Spouses who work for us may take a combined total of 12 workweeks of leave. For purposes of bonding with a new child. Certain restrictions on these benefits may apply.

If your spouse works for us, you may take a combined total of 26 workweeks of military caregiver leave in a 12-month period. This limitation also applies to a combination of military caregiver leave and leave for the other qualifying reasons.

Should a leave or an extension be requested and granted providing for leave longer than 12 workweeks in any 12 month period, such leave or extension will generally not contain a guarantee of reinstatement to the same or an equivalent position (26 weeks for military caregiver leave). We will grant leaves and extensions in accordance with state and federal law in effect at the time the leave is granted. You will be advised at the time the leave or extension is granted what conditions apply to that leave or extension.

*Reason for Change:* Clarity and clean up language

## Section 5 – Integrity – Open Door Policy

*Moved this policy into Section 1 after Violation of Policies*

*Revised the Policy to Read:*

### Open Door Policy/Complaint Procedures

We are committed to open and honest communication in the workplace. We are interested in listening to your concerns, problems, and suggestions.

If you have a concern, you often will find the easiest and most effective way to find a solution is to have an honest discussion with your Supervisor.

We prefer that you follow the usual reporting channels to find a solution, starting with your immediate Supervisor, Human Resource representative or management, but we understand that there are circumstances where you may not be comfortable with the usual reporting channel. If the nature of the matter is such that you would prefer not to discuss it with a particular person, you should discuss it with the next level of management, or any other supervisor, without fear of reprisal. [Option: **You may also contact the Employee Action Hotline at xxx-xxx-xxxx to report fraud, harassment, discriminatory conduct, hostile work environment issues, retaliation, workplace violence, misconduct by**

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**employees and/or supervisors, illegal activity and safety violations. You can report via the action hotline anonymously or by providing your name.]**

The objective is to maintain open and honest communication to help find a fair solution to your problems or concerns.

Employees should immediately report any incidents of discrimination, harassment retaliation, workplace safety violations, workers compensation abuse, potential workplace violence situations or any workplace ethic violations.

*Reason for Change:* Added CEA Action Hotline Option (Call or email us for more information) and strengthened employer's complaint procedures.

## **Section 5 – Integrity – Attendance**

*Included the new following new paragraph at the end:*

Absences protected by law will not count as a violation of this attendance policy.

*Reason for Change:* Added clarity

## **Section 5 – Integrity – Drug Free Workplace Policy**

*Revised the following paragraphs to read:*

Use of alcohol, marijuana, or any controlled substance on the job adversely affects your work performance, efficiency, safety and health and the wellbeing of others. Our workforce and workplace must be free of illegal (under state and federal law) substances (The term "illegal" includes marijuana; drugs not legally obtainable under federal or state law, prescribed drugs not legally obtained and prescribed drugs not being used for the prescribed purposes.) This requirement is based upon the fact that any measurable amount of an illegal drug may render the employee physically or mentally impaired. While we recognize your right to your own lifestyle, we will not accept the risk that on-the-job or off-the-job drug abuse by you may cause or contribute to accidents or other job performance problems.

Furthermore, the use or being under the influence of any legally obtained alcohol or drugs, including marijuana, by you while performing Company business or while in our facility is prohibited. If you feel or have been informed that the use of a legal drug may present a safety risk, you are to report such drug use to your Supervisor.

- The use of, or working under the influence of, any controlled substance, including prescription or over-the-counter drugs, if such use or influence may affect the safety of co-workers, members of the public, your job performance or the safe or efficient operation of our facility.

*Added new paragraph to the bottom of that section:*

[Employers with 25 or More Employees include]:

We will reasonably accommodate an employee who wishes to participate in an alcohol or drug rehabilitation program. There will be a guarantee of a job upon the employee's timely return from the approved leave. If you are unable to perform your duties, or cannot perform the duties in a manner which would not endanger your health or safety or the health or safety of others, because of your current use of alcohol or drugs, you may be subject to discipline, without regard to your eligibility for a leave of absence.

*Deleted the following statement:*

If you violate the above rules and standards of conduct we may bring the matter to the attention of appropriate law enforcement authorities.

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*Moved the following statement to the beginning of the policy and revised as follows:*

[Insert if you have DOT drivers]: This policy is in addition to and separate from policy governing DOT-regulated drivers.

*Reason for Change:* Added clarity and clean up language

## **Section 5 – Integrity – Workplace Weapons**

*Revised the following paragraph and bullets to read:*

In order to ensure a safe environment for employees and customers, we prohibit the wearing, transporting, storage, or presence of firearms or other dangerous weapons in our facilities or on our property. Any employee in possession of a firearm or other weapon while on your facilities/property or while otherwise fulfilling job responsibilities may face disciplinary action including termination. Possession of a valid concealed weapons permit authorized by the State of California is **not** an exception under this policy.

- Sling shot
- Sand club
- Metal knuckles

Staff or security personnel will request any client or visitor found in possession of a firearm or other dangerous weapon to remove it from the facility. The client or visitor may also be removed from the property, and local law enforcement authorities will be notified promptly.

*Reason for Change:* Clean up language

## **Section 5 – Integrity – Use of Electronic Equipment**

*Revised the following paragraphs to read:*

We provide access to electronic communication devices, equipment, and technology, including, but not limited to, telephones, electronic mail, voice mail, computers and the Internet. We may utilize surveillance equipment in the interior and exterior areas of our office buildings.

Harassment, nondiscrimination and solicitation policies all extend to such use. Sending, saving or viewing offensive material on the Internet is prohibited. Similarly, voice mail, text, electronic mail, or other digital messages may not contain content that is offensive or disruptive to any employee. Offensive material includes, but is not limited to, sexual comments, jokes or images, racial slurs, gender-specific comments or any comments, jokes or images that would offend someone on the basis of his or her age, disability, gender, race, religion, national origin, physical attributes, sexual orientation or any other characteristic or activity protected by applicable law. Any use of the Internet, company provided equipment or other electronic systems to harass or discriminate is strictly prohibited.

You are responsible for the content of all text, audio or images that you place or send. All messages communicated on the Internet or company provided equipment should have your username attached. Messages may not be transmitted using someone else's name or under an assumed name. If you wish to express personal opinions on the Internet, you are encouraged to obtain your own user name on other Internet systems.

Any software, applications, or other material downloaded into computers may be used only in ways that are consistent with the licenses and copyrights of the vendors, authors, or owners of the material. Prior written authorization from us is required before introducing any software into the computer system. To

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prevent computer viruses from being transmitted through the system, you are not authorized to download any software into your computer or any driver - this includes any entertainment software or games. If you are interested in obtaining software from the Internet, you should receive appropriate authorization from your Supervisor.

*Reason for Change:* Clean up language

### **Section 5 – Integrity – Unauthorized Removal, Use or Possession of Company Property**

*Revised the following paragraph to read:*

Company property includes, but is not limited to Company vehicles, equipment, tools, office equipment, documents and files. Company property may only be used on authorized jobs and may not be used by employees for personal purposes. At no time may an employee or friend/relative of an employee remove or keep in their personal possession any property without approval from the [Insert, e.g., Owner/President/Manager]. We reserve the right to notify the appropriate authorities with the names of the individuals involved in the unauthorized possession of Company property.

*Reason for change:* Clean up language

### **Section 5 – Integrity – Dating in the Workplace/Consensual Relationships**

*Replaced the word social with romantic*

*Reason for change:* Clarity

### **Section 6 - On the Job - Personal Information**

*Replaced the word status with information*

*Reason for change:* Clarity

### **Section 6 – On the Job – Leaving our Company**

*Revised the following paragraphs to read:*

If you find it necessary to resign, you are requested, but not required, to give advance notice of at least two weeks in writing indicating the last day of work and the reason for your resignation. This date will be considered the effective date of your resignation. If you resign or are terminated for any reason during your employment, you will receive accrued and unused PTO/vacation benefits.

The final paycheck for employees who resign with at least 72 hours' advance notice will be provided on their last day of work. Employees who do not give such notice will receive their paycheck within 72 hours of their resignation date.

*Reason for change:* Clean up language

### **Section 6 – On the Job – Inclement Weather**

*Revised the following paragraph to read*

Employees will be allowed and encouraged to have recovery time periods when hot weather conditions are severe. Please see the Company's IIPP for details regarding High Heat Procedures.

*Reason for change:* Clarity

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### Section 8 – Environmental Workplace – General Information on Workplace Safety

*Revised the paragraph to read*

Because this Office is concerned about the safety of its employees, we are dedicated to meeting OSHA standards to the best of our abilities. Every employee is expected to contribute his or her finest efforts to making our Office safe for employees and patients. Employees are encouraged to bring to any concerns they may have about OSHA to the safety administrator's attention.

*Reason for change: Clarity*

### Acknowledgement Pages (two of them)

*Revised the paragraph to read:*

I understand that I can report any workplace concerns, problems, and suggestions with my immediate Supervisor, Human Resource representative or management. If the nature of the matter is such that I would prefer not to discuss it with a particular person, I may discuss it with any level of management without fear of reprisal. **I may also contact the Employee Action Hotline at xxx-xxx-xxxx to report fraud, harassment, discriminatory conduct, hostile work environment issues, retaliation, work place violence, misconduct by employees and/or supervisors, illegal activity and safety violations. I understand I can report via the action hotline anonymously or by providing my name.**

*Deleted the 4<sup>th</sup> and 5<sup>th</sup> paragraphs concerning the ADA/FEHA as these policies are covered more thoroughly in the body of the handbook.*

*Reason for change: Clean up language and deletion of statements that may not be applicable to all employers.*