

# Oro Grande School District Employee Handbook



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## Brief History of the Oro Grande School System

## Yesterday and Today

The school system of Oro Grande can be traced back to 1883, at which time the first school building was erected on the Atwood Homestead, the present site of the Osborne Tank and Supply Co. This one-teacher school, with an enrollment of seven pupils, was replaced in 1890 by a newer structure.

One of the few remaining landmarks in the Mojave River Valley from the days when mining was the principal occupation is the second school building which was built in 1890 to replace the original building. Mr. Newton Morrow father of Oro Grande's famous R. V. "Penny" Morrow and J. P. Jones were instrumental in getting this building constructed. This frame schoolhouse was in use for classes until about 1923 when it was replaced by the third school building - a modern, stucco structure. Consisting of two rooms, this \$312,000.00 schoolhouse was financed by a loan acquired through the efforts of "Penny" Morrow who served as School Trustee during this time.

The continued growth of the community led to construction of the present, modern, steel and concrete structure. The first seven rooms of this new unit were built in 1947; subsequent additions in 1952 and 1957 have completed the present plant which includes eight classrooms, a multi-purpose room, a fully equipped library- audio-visual room, and a centrally located office unit, as well as facilities for serving state-approved "Class A" hot lunches. With an enrollment of about 200 pupils, eight teachers and a principal, the 1/4 million dollar school building continues to serve the pupils of Oro Grande from its beginnings in 1883. Moved from its original site and its belfrey removed, the second schoolhouse still stands as a landmark in Oro Grande.

The third schoolhouse building was completely remodeled and placed into use as a Community Center when the new, larger school building was completed. Extracts from some of the early registers reveal the following bits of philosophy pertaining to teachers and pupils.

EXHORTATIONS TO TEACHERS (1883) "Teachers will.... ..endeavor to make themselves acquainted with parents and guardians to better understand the temperaments, characteristics, and wants of the children."

"...make daily examinations of the lessons of their various classes and make such special preparation upon them, if necessary, as not to be constantly confined to the textbook, and instruct all their pupils, without partiality, with those branches of school studies which their various classes may be pursuing, and to strive to impress on their

minds, both by precepts and example, the great importance of continued efforts for improvement in morals and manners, and deportment, as well as useful learning."

"...only use the text-book for occasional reference, and should not permit it to be taken to the recitation to be referred to by the pupils except in cases of such exercises as absolutely require it."

"...at all times exhibit proper animation themselves, manifesting a lively interest in the subject taught; avoid all heavy, plodding movements, all formal routine in teaching, lest the pupil be dull and drowsy, and imbibe the notion that he studies only to recite."

EXHORTATIONS TO PUPILS (1883) "Pupils shall be instructed in the proper respect for thrift and saving. Each pupil shall be urged to ponder the following: The centimes of the peasants of France were a potent factor in furnishing the money needed so much in the early days of the war before aid came from other sources. Before the war, France had a greater per capita in savings accounts than any other country.

'Charge it,' 'Your Credit is Good,' 'A Dollar Down, and a Dollar a week' are financial pitfalls which the youth of America should early learn to avoid. This suggestion of a pledge to be given by pupils is offered for your consideration:

I solemnly promise to live up to the following: I will not buy what I do not need. I will save some part of my earnings. I will not waste or wantonly destroy either my own or the property of the State.

The Oro Grande School District today serves over 4000 students in 3 counties from Bakersfield, California to Palm Springs, California. The TK-12, seat time program of Riverside Preparatory School, based in Oro Grande, California, accommodates over 2500 students from all local area communities in the Victor Valley and Barstow. The TK-12, independent study program of Mojave River Academy serves students in Kern, San Bernardino, and Riverside Counties.

The Vision of the Oro Grande School District is that the district will be the state's premier Charter School educational opportunity for Transitional Kindergarten through post 12th grade students wanting a unique world class learning experience.

The Mission of the Oro Grande School District is as such: The Oro Grande School District empowers students and their families through extraordinary educational choice, excellence in education, a safe environment to learn, rigor in all endeavors, and high expectations.

## General Employment Policies



## Introductory Statement

Welcome! As an employee of Oro Grande School District (the "District"), you are an important member of a team effort. We hope that you will find your position with the District rewarding, challenging, and productive.

We look to you and the other employees to contribute to the success of the District.

This employee handbook is intended to explain the terms and conditions of employment of all full- and part-time employees and supervisors.

This handbook summarizes the policies and practices in effect at the time of publication.\* This handbook supersedes all previously issued handbooks and any policy or benefit statements or memoranda that are inconsistent with the policies described here.

\*In addition to the policies covered in this handbook, Oro Grande School District also maintains and incorporates by reference, separate policies and procedures addressing COVID-19 in the workplace.

Please take the time to review the policies in this handbook, as well as Oro Grande School District's COVID-19 policies and procedures. Your supervisor or manager will be happy to answer any questions you may have. Again, welcome!

## Equal Employment Opportunity Five or More Employees

Oro Grande School District is an equal opportunity employer and makes employment decisions on the basis of merit. We want to have the best available persons in every job. Oro Grande School District policy prohibits unlawful discrimination based on race, color, creed, gender (including gender identity and gender expression), religion (all aspects of religious beliefs, observance or practice, including religious dress or grooming practices) marital status, registered domestic partner status, age, national origin (includes language use and possession of a driver's license issued to persons unable to prove their presence in the United States is authorized under federal law), ancestry, physical or mental disability, medical condition (including cancer or a record or history of cancer, and genetic characteristics), sex (including pregnancy, childbirth, breastfeeding or related medical condition), genetic information, sexual orientation, military and veteran status or any other consideration made unlawful by federal, state, or local laws. It also prohibits unlawful discrimination based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics. Discrimination can also include failing to reasonably accommodate religious practices or qualified individuals with disabilities where the accommodation does not pose an undue hardship.

All such discrimination is unlawful.

The Oro Grande School District is committed to compliance with all applicable laws providing equal employment opportunities. This commitment applies to all persons involved in Oro Grande School District operations. The Oro Grande School District prohibits unlawful discrimination against any job applicant, employee or unpaid intern by any employee of the Oro Grande School District, including supervisors and coworkers.

If you believe you have been subjected to any form of unlawful discrimination, submit a complaint to your supervisor or the individual with day-to-day personnel responsibilities. Your complaint should be specific and should include the names of the individuals involved and the names of any witnesses. If you need assistance with your complaint, or if you prefer to make a complaint in person, contact Executive Director of Personnel/HR. The Oro Grande School District will immediately undertake an effective, thorough, and objective investigation and attempt to resolve the situation.

If the Oro Grande School District determines that unlawful discrimination has occurred, effective remedial action will be taken commensurate with the severity of the offense.

Appropriate action also will be taken to deter any future discrimination. The Oro Grande School District will not retaliate against you for filing a complaint and will not knowingly permit retaliation by management employees or your coworkers.

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the Oro Grande School District will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship would result.

Any job applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact a Oro Grande School District representative with day-to-day personnel responsibilities and discuss the need for an accommodation. The Oro Grande School District will engage in an interactive process with the employee to identify possible accommodations, if any, that will help the applicant or employee perform the job. An applicant, employee or unpaid intern who requires an accommodation of a religious belief or practice (including religious dress and grooming practices, such as religious clothing or hairstyles) should also contact a Oro Grande School District representative with day-to-day personnel responsibilities and discuss the need for an accommodation. If the accommodation is reasonable and will not impose an undue hardship, the Oro Grande School District will make the accommodation.

## Harassment Discrimination and Retaliation Prevention

Oro Grande School District is an equal opportunity employer. Oro Grande School District is committed to providing a work environment free of harassment, discrimination, retaliation, and disrespectful or other unprofessional conduct based on:

- Race
- Religion (including religious dress and grooming practices)
- Color
- Sex/gender (including pregnancy, childbirth, breastfeeding or related medical conditions), sex stereotype, gender identity/gender expression/transgender (including whether or not you are transitioning or have transitioned) and sexual orientation
- National origin
- Ancestry
- Physical or mental disability
- Medical condition
- Genetic information/characteristics
- Marital status/registered domestic partner status
- Age (40 and over)
- Sexual orientation
- Military or veteran status
- Any other basis protected by federal, state or local law or ordinance or regulation

Oro Grande School District also prohibits discrimination, harassment, disrespectful or unprofessional conduct based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics.

In addition, the Oro Grande School District prohibits retaliation against individuals who raise complaints of discrimination or harassment or who participate in workplace investigations.

All such conduct violates Oro Grande School District policy.

### Harassment Prevention

The Oro Grande School District's policy prohibiting harassment applies to all persons involved in the operation of the Oro Grande School District. The Oro Grande School

District prohibits harassment, disrespectful or unprofessional conduct by any employee of the Oro Grande School District, including supervisors, managers and co-workers. The Oro Grande School District's anti-harassment policy also applies to vendors, customers, independent contractors, unpaid interns, volunteers, persons providing services pursuant to a contract and other persons with whom you come into contact while working.

Prohibited harassment, disrespectful or unprofessional conduct includes, but is not limited to, the following behavior:

- Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations, comments, posts or messages;
- Visual displays such as derogatory and/or sexually-oriented posters, photography, cartoons, drawings or gestures;
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work because of sex, race or any other protected basis;
- Threats and demands to submit to sexual requests or sexual advances as a condition of continued employment, or to avoid some other loss and offers of employment benefits in return for sexual favors;
- Retaliation for reporting or threatening to report harassment; and
- Communication via electronic media of any type that includes any conduct that is prohibited by state and/or federal law or by Oro Grande School District policy.

Sexual harassment does not need to be motivated by sexual desire to be unlawful or to violate this policy. For example, hostile acts toward an employee because of their gender can amount to sexual harassment, regardless of whether the treatment is motivated by sexual desire.

Prohibited harassment is not just sexual harassment but harassment based on any protected category.

### Non-Discrimination

The Oro Grande School District is committed to compliance with all applicable laws providing equal employment opportunities. This commitment applies to all persons involved in Oro Grande School District operations. The Oro Grande School District prohibits unlawful discrimination against any job applicant, employee or unpaid

intern by any employee of the Oro Grande School District, including supervisors and coworkers.

Pay discrimination between employees of the opposite sex or between employees of another race or ethnicity performing substantially similar work, as defined by the California Fair Pay Act and federal law, is prohibited. Pay differentials may be valid in certain situations defined by law. Employees will not be retaliated against for inquiring about or discussing wages. However, Oro Grande School District is not obligated to disclose the wages of other employees.

### Anti-Retaliation

The Oro Grande School District will not retaliate against you for filing a complaint or participating in any workplace investigation or complaint process, and will not tolerate or permit retaliation by management, employees or co-workers.

### Reasonable Accommodation

Discrimination can also include failing to reasonably accommodate religious practices or qualified individuals with disabilities where the accommodation does not pose an undue hardship.

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the Oro Grande School District will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship would result.

Any job applicant or employee who requires an accommodation in order to perform the essential functions of the job shall contact the Executive Director of Personnel/HR and discuss the need for an accommodation. The Oro Grande School District will engage in an interactive process with the employee to identify possible accommodations, if any, that will help the applicant or employee perform the job. An applicant, employee or unpaid intern who requires an accommodation of a religious belief or practice (including religious dress and grooming practices, such as religious clothing or hairstyles) shall also contact the Executive Director of Personnel/HR and discuss the need for an accommodation. If the accommodation is reasonable and will not impose an undue hardship, the Oro Grande School District will make the accommodation.

The Oro Grande School District will not retaliate against you for requesting a reasonable accommodation and will not knowingly tolerate or permit retaliation by management, employees or co-workers.

## Complaint Process

If you believe that you have been the subject of harassment, discrimination, retaliation or other prohibited conduct, bring your complaint to your supervisor or to the

- Any other Oro Grande School District supervisor
- The HR Manager, the office manager, the personnel manager

as soon as possible after the incident. You can bring your complaint to any of these individuals. If you need assistance with your complaint, or if you prefer to make a complaint in person, contact the Executive Director of Personnel/HR. Please provide all known details of the incident or incidents, names of individuals involved and names of any witnesses. It would be best to communicate your complaint in writing, but it is not mandatory.

The Oro Grande School District encourages all individuals to report any incidents of harassment, discrimination, retaliation or other prohibited conduct forbidden by this policy immediately so that complaints can be quickly and fairly resolved.

You also should be aware that the Federal Equal Employment Opportunity Commission and the California Department of Fair Employment and Housing investigate and prosecute complaints of prohibited harassment, discrimination and retaliation in employment. If you think you have been harassed or discriminated against or that you have been retaliated against for resisting, complaining or participating in an investigation, you may file a complaint with the appropriate agency. The nearest office can be found by visiting the agency websites at [www.dfeh.ca.gov](http://www.dfeh.ca.gov) and [www.eeoc.gov](http://www.eeoc.gov).

Supervisors must refer all complaints involving harassment, discrimination, retaliation or other prohibited conduct to the Executive Director of Personnel/HR of the Oro Grande School District so the Oro Grande School District can try to resolve the complaint.

When the Oro Grande School District receives allegations of misconduct, it will immediately undertake a fair, timely, thorough and objective investigation of the allegations in accordance with all legal requirements. The Oro Grande School District will reach reasonable conclusions based on the evidence collected.

The Oro Grande School District will maintain confidentiality to the extent possible. However, the Oro Grande School District cannot promise complete confidentiality. The employer's duty to investigate and take corrective action may require the disclosure of information to individuals with a need to know.

Complaints will be:

- Responded to in a timely manner
- Kept confidential to the extent possible
- Investigated impartially by qualified personnel in a timely manner
- Documented and tracked for reasonable progress
- Given appropriate options for remedial action and resolution
- Closed in a timely manner

If the Oro Grande School District determines that harassment, discrimination, retaliation or other prohibited conduct has occurred; appropriate and effective corrective and remedial action will be taken in accordance with the circumstances involved. The Oro Grande School District will also will take appropriate action to deter future misconduct.

Any employee determined by the Oro Grande School District to have engaged in harassment, discrimination, retaliation or other prohibited conduct will be subject to appropriate disciplinary action, up to, and including termination. Employees should also know that if they engage in unlawful harassment, they can be held personally liable for the misconduct.

HR Managers, other human resource employees, and any employees with direct contact and/or supervision of minors and/or employees in the workplace are mandated reporters who are trained in child abuse and neglect identification.



## Work Schedules

Oro Grande School District office is normally open for business between the hours of 7:30 A.M. to 4:00 P.M. School Hours 7:00 A.M. to 4:30 P.M., Monday through Friday. Your supervisor will assign your individual work schedule. All employees are expected to be at their desks or workstations at the start of their scheduled shifts, ready to work.

The Oro Grande School District Work Day for Certificated Employees is defined as 8 hours. Flex time is provided as the last 15 minutes of the 8 hours for certificated employees. This time may be used as the employee deems necessary upon completion of all assigned duties.

Exchanging work schedules with other employees is discouraged. However, if you need to exchange schedules, notify your supervisor, who may authorize an exchange if possible. Work schedule exchanges will not be approved for the mere convenience of an employee or if the exchange interferes with normal operations or results in excessive overtime.

The workweek begins at 12:01 a.m. Sunday and ends at midnight on Saturday.

## Employment Status

Oro Grande School District Classified Personnel are employed on a probationary basis. Charter School Classified Employees are considered at-will employees. Employment at-will means that the employment relationship may be terminated, with or without cause and with or without advance notice at any time by the employee or the Oro Grande School District. Nothing in this handbook shall limit the right to terminate at-will employment.

Oro Grande School District Certificated Personnel are employed on a temporary, probationary basis. Charter School Certificated Employees are considered annually contracted employees. Service in the above-named position does not count toward the attainment of permanent status. Certificated Employees are notified pursuant to Education Code section 44916, and do hereby agree and understand, that they are classified as a temporary employee in accordance with Education Code section 44909 to perform services conducted under contract with public or private agencies, or categorically funded projects which are not required by federal or state statutes. The District reserves the right to unilaterally terminate employment as authorized in Education Code section 44954.

Employees shall render the following days of Full and Regular service:

Teachers 185 Days

Counselors 190 Days

Speech Pathologist 190 Days

School Psychologist 190 Days

Special Education Teacher on Assignment 190 Days

Instructional Support Teacher Educational Services 195 Days

Instructional Coordinators Educational Services 210 Days

Center Administrator/ Academic Coordinator 210 Days

School Site Principal/Assistant Principal 220 Days

Executive Director/Director/ Chief Executive Officer/ Assistant Director 220 Days

No manager, supervisor, or employee of the Oro Grande School District has any authority to enter into an agreement for employment for any specified period of time or to make an agreement for employment on other than at-will terms. Only the School District Superintendent/Designee of Oro Grande School District has the authority to make any such agreement, which is binding only if it is in writing.

Nothing in this statement is intended to interfere with an employee's rights to communicate or work with others toward altering the terms and conditions of his or her employment.

## Right to Revise

This employee handbook contains the employment policies and practices of Oro Grande School District in effect at the time of publication. All previously issued handbooks and any inconsistent policy statements or memoranda are superseded.

Oro Grande School District reserves the right to revise, modify, delete, or add to any and all policies, procedures, work rules, or benefits stated in this handbook or in any other document, except for the policy of at-will employment. However, any such changes must be in writing and must be signed by the Superintendent of Oro Grande School District and approved by the Oro Grande School District Board of Trustees.

Any written changes to this handbook will be distributed to all employees so that employees will be aware of the new policies or procedures. No oral statements or representations can in any way alter the provisions of this handbook.

This handbook sets forth the entire agreement between you and Oro Grande School District as to the duration of employment and the circumstances under which employment may be terminated. Nothing in this employee handbook or in any other personnel document, including benefit plan descriptions, creates or is intended to create a promise or representation of continued employment for any employee.

Nothing in this probationary/at-will statement is intended to interfere with an employee's rights to communicate or work with others toward altering the terms and conditions of his or her employment.

## Hiring

## Inactive Status

Employees who are on any type of leave of absence, work-related or non-work-related, that exceeds any protected state or federal leave of absence will be placed on inactive status. (39 month rehire list) This list includes, but is not limited to contracted certificated and classified Employees. (CA Ed Code 44931)

### Health Benefits Extension

Unless health benefits extension is covered by state or federal law, benefits will terminate according to our insurance carrier's policy. Contact the Director of Administrative Services for more information.

## Job Duties

During the 6 month introductory (probationary) period, your supervisor will explain your job responsibilities and the performance standards expected of you. Be aware that your job responsibilities may change at any time during your employment. From time to time, you may be asked to work on special projects, or to assist with other work necessary or important to the operation of your department or Oro Grande School District. Your cooperation and assistance in performing such additional work is expected.

Oro Grande School District reserves the right, at any time, with or without notice, to alter or change job responsibilities, reassign or transfer job positions, or assign additional job responsibilities. (Job Descriptions are available upon request.)

## New Hires

Completion of the introductory period does not entitle you to remain employed by Oro Grande School District for any definite period of time. Your status as an at-will employee does not change. The employment relationship may be terminated with or without cause and with or without advance notice, at any time by you or the Oro Grande School District. Probationary employee status does not change after completion of the introductory period.

Newly hired employees will complete the paperwork process within 48 hours from the appointment with Director of Administrative Services.



## Part-Time Employees

Part-time employees are those who are scheduled for and do work fewer than 29 hours per week. Part-time employees are eligible for the following Oro Grande School District benefits:

6 hour/daily employees are eligible for benefits as required by law.

## Regular Employees

Regular employees are those who are hired to work on a regular schedule. Regular employees may be classified as full-time or part-time.

## Temporary Employees

Temporary employees are those employed for short-term assignments or categorically funded positions. Short-term assignments generally are periods of three months or fewer; however, such assignments may be extended. Temporary employees are not eligible for employee benefits except those mandated by applicable law.

## Full-Time Employees

Regular full-time employees are those who are scheduled for and do work 40 hours per week. Regular full-time employees are eligible for most employee benefits described in this handbook. Benefit eligibility may depend on length of continuous service. Benefit eligibility requirements may also be imposed by the plans themselves or by law.

## Management, Exempt Status

### Exemption Status

A manager's exemption status determines whether he/she receives a salary or hourly wage. A manager can be an exempt or nonexempt employee. Exemption status is typically based on the employee's job duties. Exempt managers receive a specific salary regardless of the number of hours worked during the week. A nonexempt manager receives an hourly wage and must be paid for each hour worked during the week, including overtime.

### Job Duties

The Fair Labor Standards Act determines what job duties a manager must perform to be considered exempt or nonexempt and receive a salary versus an hourly wage. According to the act, to be considered exempt, the job duties of an administrative level manager must be "directly related to management or general business operations." In other words, the employee must perform general managerial activities such as hiring, employee discipline and quality control. Managers whose duties are not of an executive, administrative or professional nature are considered nonexempt and receive an hourly wage.

## Leaves of Absence

## Entitlement Leave Bank

Certificated/Classified Sick Leave

Oro Grande School District Employees will earn the equivalent of one (1) working day per month worked for sick leave.

The Oro Grande School District Work Day for Certificated Employees is defined as 8 hours. Flex time is provided as the last 15 minutes of the 8 hours for certificated employees. This time may be used as the employee deems necessary upon completion of all assigned duties.

Sick Leave is defined as:

- (A) Personal Illness
- (B) Immediate Family Illness
- (C) Doctor Appointments

\*All sick leave that is unused each school year is accrued and will travel with the employee should they resign from the school district.

\*\* Sick Leave may not be used as vacation.

Three (3) of the sick days earned may be utilized as Personal Necessity days.

Personal Necessity is defined as:

- (A) Serious Illness of a member of the employee's immediate family.
- (B) An Unforeseen accident involving employee's person or property. The nature of the accident must be reported to employee's supervisor.
- (C) Death in the family that exceeds bereavement.

All Personal Necessity days must be approved by the site administrator at least five (5) work days prior to the event for non emergencies. Personal Necessity cannot be used to extend holidays. Personal Necessity days do not roll over year to year.

\*After the 3rd consecutive absence employees are required to have a medical note. Failure to provide the necessary medical

note will result in employee discipline including, but not limited to termination.

\*\* Early Release Days as well as Teacher Directed Days shall count as a full day (8 hours) of absence if an employee is absent.

#### Certificated Vacation Time

Certificated: Are exempt from vacation time accrual.

#### Classified Vacation Time

Under 12 month Classified Employees have vacation embedded in work calendar (CA Ed. Code 45197.)

12 Month Classified/Classified Management: Employees may roll up to 40 hours (5 days) of accrued vacation time annually. Any time remaining that is unused beyond 40 hours (5 days) will be compensated as vacation liability to be paid after July 1 of the following fiscal year. Early termination status employees receive compensation based on earned vacation time and are paid on the earliest pay period.



## Bereavement Leave

Oro Grande School District grants leave of absence to employees in the event of the death of the employee's current spouse, registered domestic partner, child, parent, legal guardian, brother, sister, grandparent, or grandchild; or mother-, father-, sister-, brother-, son-, or daughter-in-law, or any relative living in the immediate household of the employee. (Ed.C. 44985) All other bereavement request may be presented to the Cabinet for consideration on an individual basis.

An employee with such a death in the family may take up to 3 consecutive scheduled workdays for in state bereavement and 5 consecutive scheduled workdays for out of state bereavement off with pay with the approval of the Oro Grande School District. The employee's supervisor may approve additional unpaid time off.

Bereavement Allowance: In State under 500 miles 3 days. Out of State over 500 miles 5 days.

## Crime or Abuse Victims' Leave and Accommodation

If you are the victim of crime or abuse, you are eligible for unpaid leave. While the leave is generally unpaid, employees can use their paid sick time under California's Healthy Workplaces, Healthy Families Act for the purposes described below.

You are considered a victim of crime or abuse who is eligible for unpaid leave if you are:

- A victim of stalking, domestic violence, or sexual assault;
- A victim of a crime that caused physical injury or that caused mental injury and a threat of physical injury;
- A person whose immediate family member is deceased as a result of a crime. "Immediate family member" includes:
  - Regardless of age, your biological, adoptive, or foster child, stepchild, or legal ward, a child of a registered domestic partner, a child to whom you stand in loco parentis, or a person to whom you stood in loco parentis when the person was a minor;
  - Your biological, adoptive, or foster parent, stepparent, or legal guardian or that of your spouse or registered domestic partner, or a person who stood in loco parentis when you or your spouse or registered domestic partner was a minor child;
  - Your legal spouse or registered domestic partner;
  - Your biological, foster, or adoptive sibling, a stepsibling, or half-sibling; or
  - Any other individual whose close association with you is the equivalent of a family relationship described in any of the bullets above.
- Any person against whom any crime has been committed (only for purposes of taking time off to appear in court to comply with a subpoena or other court order as a witness in any judicial proceeding).

You may request leave if you are involved in a legal action, such as obtaining restraining orders, or appearing in court to obtain relief to ensure your or your child's health, safety, or welfare. Please provide reasonable advance notice of the need for leave, unless advance notice is not feasible. Contact Human Resources.

If you need a reasonable accommodation for your safety at work, contact Human Resources. If you are requesting a reasonable accommodation, you will need to submit a written statement signed by you, or by an individual acting on your behalf, certifying that the accommodation is for the purpose of your safety at work.

For reasonable accommodation requests, the Oro Grande School District will also require certification demonstrating that you are the victim of crime or abuse. The Oro Grande School District may request recertification every six months. Please notify the Oro Grande School District if an approved accommodation is no longer needed.

The Oro Grande School District will engage in an interactive process with you to identify possible accommodations, if any, that are effective and will make reasonable accommodations unless an undue hardship will result.

Oro Grande School District will, to the extent allowed by law, maintain the confidentiality of an employee requesting leave or accommodation under these provisions.

## Crime or Abuse Victims' Leave for Treatment

If you are the victim of crime or abuse, you are eligible for unpaid leave. While the leave is generally unpaid, employees can use their paid sick time under California's Healthy Workplaces, Healthy Families Act for the purposes described below.

You are considered a victim of crime or abuse who is eligible for unpaid leave if you are:

- A victim of stalking, domestic violence, or sexual assault;
- A victim of a crime that caused physical injury or that caused mental injury and a threat of physical injury; or
- A person whose immediate family member is deceased as a result of a crime. "Immediate family member" includes:
  - Regardless of age, your biological, adoptive, or foster child, stepchild, or legal ward, a child of a registered domestic partner, a child to whom you stand in loco parentis, or a person to whom you stood in loco parentis when the person was a minor;
  - Your biological, adoptive, or foster parent, stepparent, or legal guardian or that of your spouse or registered domestic partner, or a person who stood in loco parentis when you or your spouse or registered domestic partner was a minor child;
  - Your legal spouse or registered domestic partner;
  - Your biological, foster, or adoptive sibling, a stepsibling, or half-sibling; or
  - Any other individual whose close association with you is the equivalent of a family relationship described in any of the bullets above.

You may request leave for any of the following purposes:

- To seek medical attention for injuries caused by crime or abuse;
- To obtain services from a domestic violence shelter, program, rape crisis center, or victim services organization or agency as a result of the crime or abuse;
- To obtain psychological counseling or mental health services related to experiencing crime or abuse;
- To participate in safety planning and take other actions to increase safety from future crime or abuse, including temporary or permanent relocation.

Please provide reasonable advance notice of the need for leave unless advance notice is not feasible. Contact Human Resources.

Oro Grande School District will, to the extent allowed by law, maintain the confidentiality of an employee requesting leave under this provision.

The length of unpaid leave an employee may take is limited to 12 weeks provided for in the federal Family and Medical Leave Act (FMLA) for eligible employees.

## Family Medical Leave Act (FMLA)

The federal Family and Medical Leave Act (FMLA) provides up to 12 workweeks of unpaid family/medical leave within a 12-month period, under the following conditions:

- You have been employed with the Oro Grande School District for a total of at least 12 months prior to the commencement of leave. The 12 months of employment must have accumulated within the previous seven years (certain exceptions apply);
- You have worked at least 1,250 hours during the previous 12-month period before the need for leave; and
- You are employed at a worksite where there are 50 or more employees within a 75-mile radius.

Leave may be taken for one or more of the following reasons:

- Your serious health condition that makes you unable to perform your job;
- To care for your family member who has a serious health condition. For purposes of FMLA leave, a "family member" includes your:
  - Spouse.
  - Parent.
  - Child under the age of 18, or child over the age of 18 and incapable of self-care due to mental or physical disability at the time FMLA leave is to begin.
- The birth of your child, or placement of a child with you for adoption or foster care;
- Because of a qualifying exigency related to covered active duty or a call to covered active duty of your spouse, child or parent in the Armed Forces of the United States, or to care for a covered servicemember. (See Military Family Leave Entitlements below.)
- Incapacity due to pregnancy, prenatal medical care or child birth

Depending on your reason for leave, you may also be eligible for California Family Rights Act (CFRA) leave, in which case both your FMLA leave and CFRA leave will run concurrently. (See the CFRA Leave policy for additional information and CFRA leave eligibility.)

For additional information about eligibility for FMLA and how it may or may not interact with CFRA leave, contact Human Resources.

### Military Family Leave Entitlements

- Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement for certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.
- Eligible employees may also take a special leave entitlement of up to 26 weeks of leave during a single 12-month period to care for a covered servicemember. A covered servicemember is either:
  - A current member of the Armed forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness\*; or
  - A veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.\*

\*The FMLA definitions of "serious injury or illness" for current servicemembers and veterans are different from the FMLA definition of "serious health condition."

### Calculating the 12-month Period

For purposes of calculating the 12-month period during which 12 weeks of family and medical leave or qualifying exigency leaves may be taken under FMLA, Oro Grande School District uses A rolling 12-month period measured backward from the date an employee uses any FMLA Leave.

Under most circumstances, leave under federal and state law will run at the same time and an eligible employee will be entitled to a total of 12 weeks of family and medical leave in the designated 12-month period.

For leave to care for a covered servicemember, the 12-month period begins on the first day of the leave, regardless of how the 12-month period is calculated for other leaves. Leave to care for a covered servicemember is for a maximum of 26 workweeks during a 12-month period.

## Pregnancy, Childbirth or Related Conditions and Baby Bonding

Time off because of pregnancy disability, childbirth or related medical condition counts as FMLA leave, but not for CFRA leave. Employees who take time off for pregnancy disability and who are eligible for FMLA will be placed on FMLA that runs at the same time as their pregnancy disability leave (PDL).

Once the pregnant employee is no longer disabled, or once the employee has given birth and exhausted PDL, the employee may apply for leave under the CFRA, for purposes of baby bonding.

Under the FMLA, leave taken for the birth, adoption, or foster care placement of a child must be taken as a continuous block of leave unless the Oro Grande School District grants intermittent leave. If, however, your baby bonding leave is under both FMLA and CFRA (running concurrently), such leave does not have to be taken in one continuous period of time: CFRA leave taken for the birth or placement of a child will be granted in minimum amounts of two weeks. However, the Oro Grande School District will grant a request for a CFRA leave (for birth/placement of a child) of less than two weeks' duration on any two occasions. The Oro Grande School District may also grant additional requests for leave lasting less than two weeks at its discretion. Any leave taken (under either FMLA or CFRA) must be concluded within one year of the birth or placement of the child with the employee.

## Leave Procedures

The following procedures shall apply to FMLA leave:

- Please contact Human Resources as soon as you realize the need for family/medical leave. If the leave is based on the expected birth, placement for adoption or foster care, or planned medical treatment for your serious health condition or that of a family member, you must notify the Oro Grande School District at least 30 days before leave is to begin. You must consult with your supervisor regarding scheduling of any planned medical treatment or supervision in order to minimize disruption to the operations of the Oro Grande School District. Any such scheduling is subject to the approval of your health care provider or the health care provider of your child, parent, or spouse.
- If you cannot provide 30 days' notice, the Oro Grande School District must be informed as soon as is practical.



- If the FMLA request is made because of your own serious health condition, the Oro Grande School District may require, at its expense, a second opinion from a health care provider that the Oro Grande School District chooses. The health care provider designated to give a second opinion will not be one who is employed on a regular basis by the Oro Grande School District.
- If the second opinion differs from the first opinion, the Oro Grande School District may require you, at the Oro Grande School District's expense, to obtain the opinion of a third health care provider designated or approved jointly by you and the employer. The opinion of the third health care provider shall be considered final and binding on you and the Oro Grande School District.

## Certification

Oro Grande School District requires you to provide certification (ie. Physician's note). You will have 15 calendar days from the Oro Grande School District's request for certification to provide it to the Oro Grande School District, unless it is not practical to do so. The Oro Grande School District may require recertification from the health care provider if you request additional leave upon expiration of the time period in the original certification. (For example, if you need two weeks of family and medical leave, but following the two weeks you need intermittent leave, a new medical certification will be requested and required.) If you do not provide medical certification in a timely manner to substantiate the need for family and medical leave, the Oro Grande School District may delay approval of the leave, or continuation thereof, until certification is received. If certification is never received, the leave may not be considered FMLA leave.

If the leave is needed to care for a sick family member, you must provide a certification from the health care provider stating:

- Date of commencement of the serious health condition;
- Probable duration of the condition;
- Estimated amount of time for care by the health care provider; and
- Confirmation that the serious health condition warrants your participation.

Under the FMLA, when both parents are employed by the Oro Grande School District, and request simultaneous leave for the birth or placement for adoption or foster care of a child, the Oro Grande School District will not grant more than a total of 12 workweeks of FMLA leave for this reason. However, if baby bonding leave is under both FMLA and CFRA (running concurrently), each parent employed by the Oro Grande School District is entitled to 12 workweeks of leave for this reason.

If your serious health condition is the reason for leave, you must provide a certification from the health care provider stating:

- Date of commencement of the serious health condition;
- Probable duration of the condition; and
- Your inability to work at all or to perform any one or more of the essential functions of your position because of the serious health condition.

If you are on leave because of your own serious health condition, the Oro Grande School District will also require a medical release to return to work form or certification from your health care provider that you are able to resume work.

Failure to provide a release to return to work from your health care provider may result in denial of reinstatement until the certificate is obtained.

#### Leave Related to Military Service

A leave taken due to a "qualifying exigency" related to military service must be supported by a certification of its necessity. A leave taken due to the need to care for a servicemember must be supported by a certification by the servicemember's health care provider or other certification allowed by law. Special certification requirements apply to leaves related to military service.

#### Health and Benefit Plans

If you are taking FMLA leave, you will be allowed to continue participating in any health and welfare benefit plans in which you were enrolled in before the first day of the leave (for a maximum of 12 workweeks, or 26 workweeks if the leave is to care for a covered servicemember) at the level and under the conditions of coverage as if you had continued in employment for the duration of such leave. The Oro Grande School District will continue to make the same premium contribution as if you had continued working. The continued participation in health benefits begins on the date leave first begins. In some instances, the Oro Grande School District may recover premiums paid to maintain health coverage if you fail to return to work following FMLA leave.

Employees on pregnancy disability leave will be allowed to continue to participate in group health coverage for up to a maximum of four months of pregnancy disability leave (if such insurance was provided before the leave was taken) on the same terms

as if you had continued to work. The right to continued group health coverage during pregnancy disability leave is a separate and distinct entitlement from the CFRA entitlement.

Payment is to be prepaid pursuant to a cafeteria plan, under which employees choose coverage that best suits them. For more information, contact Human Resources Director of Administrative Services.

### Substitution of Paid Leave

Generally, FMLA leave is unpaid. The Oro Grande School District may require, or you may choose, to use accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, you must comply with the Oro Grande School District's normal paid leave policies. For more information on those specific circumstances requiring or allowing the substitution of paid leave contact Human Resources.

### Reinstatement

Under most circumstances, upon return from FMLA leave, you will be reinstated to your original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. However, an employee has no greater right to reinstatement than if the employee had been continuously employed rather than on leave. For example, if an employee on FMLA leave would have been laid off had the employee not gone on leave, or if the employee's job is eliminated during the leave and no equivalent or comparable job is available, then the employee would not be entitled to reinstatement. In addition, an employee's use of FMLA leave will not result in the loss of any employment benefit that the employee earned before using FMLA leave.

Reinstatement after FMLA leave may be denied to certain salaried "key" employees under the following conditions (however, this exception will not apply if the FMLA leave runs concurrently with CFRA leave):

- An employee requesting reinstatement was among the highest-paid 10 percent of salaried employees employed within 75 miles of the worksite at which the employee worked at the time of the leave request;
- The refusal to reinstate is necessary because reinstatement would cause substantial and grievous economic injury to the Oro Grande School District's operations;

- The employee is notified of the Oro Grande School District's intent to refuse reinstatement at the time the Oro Grande School District determines the refusal is necessary; and
- If leave has already begun, the Oro Grande School District gives the employee a reasonable opportunity to return to work following the notice described previously.

### Time Accrual

Please contact Human Resources with any questions regarding accrual of other Oro Grande School District provided paid leave benefits (such as vacation, PTO or sick leave) during unpaid FMLA leave.

### Carryover

Leave granted under any of the reasons provided by FMLA and/or CFRA will be counted as family/medical leave and will be considered as part of the 12-workweek entitlement (26-workweek entitlement if leave is to care for a service member) in any 12-month period. No carryover of unused leave from one 12-month period to the next 12-month period is permitted.

### Intermittent Leave

You may take FMLA leave intermittently (in blocks of time, or by reducing your normal weekly or daily work schedule) if the leave is for your serious health condition or that of a qualifying family member and the reduced leave schedule is medically necessary as determined by the health care provider of the person with the serious health condition. The smallest increment of time that can be used for such leave is 1 work day.

See also the discussion of Pregnancy, Childbirth or Related Conditions and Baby Bonding above.

## Jury Duty and Witness Leave

Oro Grande School District encourages employees to serve on jury duty when called. Non-exempt employees who have completed their introductory periods will receive full pay while serving up to until duty is complete days of jury duty. Exempt employees will receive full salary unless they are absent for a full week and perform no work. You must call the jury notification system at the earliest possible availability. You should notify your supervisor of the need for time off for jury duty as soon as a notice or summons from the court is received. You must report to work until such time as you are required for jury service each given day. You are required to provide written verification from the court clerk of performance of jury service. If work time remains after any day of jury selection or jury duty, you will be expected to return to work for the remainder of your work schedule.

All employees must call the jury duty reporting system prior to the time of requested service.

## Military Leave

Employees who wish to serve in the military and take military leave should contact Assistant Superintendent of Personnel/HR or designee for information about their rights before and after such leave. You are entitled to reinstatement upon completion of military service, provided you return or apply for reinstatement within the time allowed by law.

## Military Spouse Leave

Employees who work more than 20 hours per week and have a spouse or registered domestic partner in the Armed Forces, National Guard or Reserves who have been deployed during a period of military conflict are eligible for up to 10 unpaid days off when their spouse is on leave from (not returning from) military deployment.

You must request this leave in writing to Human Resources within two business days of receiving official notice that your spouse will be on leave. You must attach to the leave request written documentation certifying that your spouse will be on leave from deployment.

## Civil Air Patrol Leave

No employee with more than 90 days of service shall be disciplined for taking time off to perform emergency duty as a volunteer in the California Civil Air Patrol. If you are a Civil Air Patrol volunteer, please alert your supervisor that you may have to take time off for emergency duty. When taking time off for emergency duty, please alert your supervisor before doing so, giving as much advance notice as possible.

Up to 10 days of leave for duty may be taken each year. However, leave for a single emergency mission cannot exceed three days, unless the emergency is extended by the entity in charge of the operation and the extension of leave is approved by the Oro Grande School District.



## Paid Time Off

Employees are entitled to paid time off (PTO) based upon their years of active service. Active service commences with an employee's first day of work and continues thereafter unless broken by an absence without pay, a leave of absence or termination of employment.

Paid time off or personal time off (PTO) is a bank of earned hours in which the employer pools sick days, vacation days, and personal days that allows employees to use as the need arises.

Employees become eligible to take PTO any time after the employee's first day of employment, as work schedules permit .

Employees may use accrued PTO for any reason, including illness, care for family members or other personal matters. Employees will need to schedule time off with their supervisors. Specific provisions relating to paid sick leave under California's Healthy Workplaces, Healthy Families Act, including procedures relating to notification and usage of this paid sick time, are discussed below.

An employee's use of paid time off may run concurrently with other leaves pursuant to local, state or federal laws.

Oro Grande Contracted Employees (Classified and Certificated) earn one workshift day per one month worked. For example if an employee works one month at 3.5 hours per day they earn 1-3.5 hour sick leave day.

Personal Necessity days are sick leave days that are designated for personal use that may not be considered illness related. 3 days per school year are designated for this purpose. They must be approved by the employees supervisor. If days are not used they will roll as sick leave.

All sick leave that is unused each school year is accrued and will travel with the employee should they resign from the school district.

### California Paid Sick Leave

Beginning July 1, 2015, California law provides for mandatory paid sick leave under the Healthy Workplaces, Healthy Families Act (the "Act"). All employees who have worked

in California for the same employer for 30 or more days within a year from the start of their employment are eligible for protected paid sick time under the Act. Employees cannot be discriminated or retaliated against for requesting or using paid time off (PTO) for qualifying reasons protected by the Act.

Oro Grande School District's PTO policy meets the requirements of the Act. Our PTO policy provides a minimum of at least: (1) one day or eight hours of accrued paid time within three months of employment, each calendar year, or in each 12-month period; and (2) employees are eligible to earn at least three days or 24 hours of paid time off within nine months of employment.

An employee can use accrued PTO for any of the qualifying reasons protected by the Act, as set forth below. If an employee decides to use PTO as protected paid sick time, the employee should designate the time off accordingly. Otherwise, Oro Grande School District will treat the time off as PTO and not protected paid sick time.

If you have any questions, please contact Director of Administrative Services.

#### Sick Time Notification

Employees that have a foreseeable need to take paid time off for a qualifying reason under the Act must provide advance oral or written notification to Assistant Superintendent of Personnel/HR. If the need is not foreseeable, employees shall provide notice to Assistant Superintendent of Human Resources as soon as practicable. Vacation/accrued rollover limited to 40 hours maximum.

#### Qualifying Reasons for Paid Sick Leave

Paid time off under the Act can be used for any of the following reasons:

- Diagnosis, care or treatment of an existing health condition for an employee or covered family member, as defined below.
- Preventive care for an employee or an employee's covered family member.
- For certain specified purposes when the employee is a victim of domestic violence, sexual assault or stalking.

For purposes of paid time off under the Act, a covered family member includes:

- A child: Defined as a biological, foster or adopted child; a stepchild; or a legal

ward, regardless of the age or dependency status of the child. A "child" also may be someone for whom you have accepted the duties and responsibilities of raising, even if he or she is not your legal child.

- A parent: Defined as a biological, foster or adoptive parent; a stepparent; or a legal guardian of an employee or the employee's spouse or registered domestic partner. A "parent" may also be someone who accepted the duties and responsibilities of raising you when you were a minor child, even if he or she is not your legal parent.
- A spouse.
- A registered domestic partner.
- A grandparent.
- A grandchild.
- A sibling.

## Vacation

Certificated: Are exempt from vacation time accrual.

12 Month Classified/Classified Management: Employees may roll up to 40 hours (5 days) of accrued vacation time annually. Any time remaining that is unused beyond 40 hours (5 days) will be compensated as vacation liability to be paid after July 1 of the following fiscal year. Early termination status employees receive compensation based on earned vacation time and are paid on the earliest pay period.

The Oro Grande School District reserves the right to designate specific dates for vacation time usage. Part time classified employees will be given 10 vacation days per year prorated for the year predetermined by the district. Classified employees must work 6 months before vested in any vacation time per Education Code 45197.

## Non Contract Time

Employees hired prior to July 1, 2017: 12 month Classified employees, Certificated management employees and Classified management employees receive Non Contract Time based on individual work calendars approved by their supervisor. The Oro Grande School District reserves the right to mandate specific dates for Non Contract Time. If the employee does not use Non Contract Time, that time will be forfeited at the end of each school year. It cannot be accrued annually.

## Extraordinary Leave

A extraordinary leave of absence without pay may be granted at the discretion of Oro Grande School District. Requests for extraordinary leave should be limited to unusual circumstances requiring an absence of longer than two weeks. Approved extraordinary absences of shorter duration are not normally treated as leaves, but rather as excused absences without pay.

### Concurrent extraordinary and Family/Medical Leave

Any leave taken under this provision that qualifies as leave under the state and/or federal Family and Medical Leave Acts will be counted as family/medical leave and charged to your entitlement of 12 workweeks of family/medical leave in a 12-month period.

## School Appearances Involving Suspension

If an employee who is the parent or guardian of a child facing suspension from school is summoned to the school to discuss the matter, the employee should alert his or her supervisor as soon as possible before leaving work. In agreement with California Labor Code Section 230.7(B), no discriminatory action will be taken against an employee who takes time off for this purpose.

## Substitute Employee Sick Leave (AB1522)

California law provides for mandatory paid sick leave under the Healthy Workplaces, Healthy Families Act (the "Act"). This paid sick leave policy is intended to comply with the requirements of the Act.

Employees cannot be discriminated or retaliated against for requesting or using accrued paid sick time.

If you have any questions about paid sick leave, please contact the Assistant Superintendent of Personnel/HR or designee.

### Eligible Employees

Beginning July 1, 2015, all employees who have worked in California for the same employer for 30 or more days within a year from the start of their employment will be entitled to paid sick time.

However, employees are not eligible to take paid sick time until they have worked for the Company for 90 days from their date of hire.

### Sick Pay Amount

Eligible employees will receive sick leave as follows:

Oro Grande School District will provide eligible employees with three days or 24 hours of paid sick time on their first day of employment with Oro Grande School District. You will need to meet the 90 day employment requirement before taking any leave.

Unused paid sick time will not carry over from year to year. However, Oro Grande School District will place three days or 24 hours of paid sick time into your leave bank each year on your anniversary date. Employees will be able to access all three days or 24 hours of paid sick time at the beginning of each 12-month period.

The Oro Grande School District does not pay employees for unused paid sick leave. Employees who are rehired with one year of separation from employment may be eligible for reinstatement of previously accrued and unused paid sick time.

### Qualifying Reasons for Paid Sick Leave

Paid sick time can be used for the following reasons:

- Diagnosis, care or treatment of an existing health condition for an employee or covered family member, as defined below.
- Preventive care for an employee or an employee's covered family member.
- For certain, specified purposes when the employee is a victim of domestic violence, sexual assault or stalking.

For purposes of paid sick leave, a covered family member includes:

- A child defined as a biological, foster or adopted child; a stepchild; or a legal ward, regardless of the age or dependency status of the child. A "child" also may be someone for whom you have accepted the duties and responsibilities of raising, even if he or she is not your legal child.
- A "parent" defined as a biological, foster or adoptive parent; a stepparent; or a legal guardian of an employee or the employee's spouse or registered domestic partner. A parent may also be someone who accepted the duties and responsibilities of raising you when you were a minor child, even if he or she is not your legal parent.
- A spouse.
- A registered domestic partner.
- A grandparent.
- A grandchild.
- A sibling.

#### Use of Paid Sick Leave

If the need for paid sick leave is foreseeable, employees shall provide advance oral or written notification to the Supervisor, Director of Administrative Services, Payroll Technician. If the need for paid sick leave is not foreseeable, employees shall provide notice to the Supervisor, Director of Administrative Services, Payroll Technician as soon as practicable.

An employee's use of paid sick time may run concurrently with other leaves under local, state or federal law.

Paid sick leave can be used in 1 hour hour increments.

## Time Off for Voting

If an employee does not have sufficient time outside of working hours to vote in an official state-sanctioned election, the employee may take off enough working time to vote. Such time off shall be taken at the beginning or the end of the regular working shift, whichever allows for more free time, and the time taken off shall be combined with the voting time available outside of working hours to a maximum of two hours combined. Under these circumstances, an employee will be allowed a maximum of two hours of time off during an election day without loss of pay. When possible, an employee requesting time off to vote shall give his or her supervisor at least two days notice.



## Victims of Crime Leave

An employee who is themselves a victim or who is the family member of a victim of certain serious crimes may take time off from work to attend judicial proceedings related to the crime or to attend proceedings involving rights of the victim.

A family member of a crime victim may be eligible to take this leave if he/she is the crime victim's spouse, parent, child or sibling. Other family members may also be covered depending on the purpose of the leave.

The absence from work must be in order to attend judicial proceedings or proceedings involving rights of the victim. Only certain crimes are covered. You must provide reasonable advance notice of your need for leave, and documentation related to the proceeding may be required. If advance notice is not possible, you must provide appropriate documentation within a reasonable time after the absence. (5 business days)

Any absence from work to attend judicial proceedings or proceedings involving victim rights will be unpaid, unless you choose to take paid time off.

For more information regarding this leave (including whether you are covered, when and what type of documentation is required, and which type of paid time off can be used), please contact a Oro Grande School District representative with day-to-day personnel responsibilities.

## Volunteer Civil Service Personnel

No employee shall be disciplined for taking time off to perform emergency duty as a volunteer firefighter, peace officer, or emergency rescue personnel. Employees who perform emergency duty as a volunteer firefighter, reserve peace officer, or emergency rescue personnel may also take up to a total of fourteen days unpaid leave time per calendar year to engage in required fire, law enforcement or emergency rescue training. Please alert your supervisor that you may have to take time off for emergency duty or emergency duty training. When taking time off for emergency duty, please alert your supervisor before doing so when possible.

If you are an official volunteer firefighter, reserve peace officer or emergency rescue personnel, please alert your supervisor if you have training. Volunteer firefighters, reserve peace officers and emergency rescue personnel may take up to a total of fourteen days per calendar year to engage in fire, law enforcement or emergency rescue training.

## Extended Medical Leave

A medical leave of absence may be granted for non-work-related medical disabilities (other than pregnancy, childbirth, and related medical conditions) with a doctor's written certificate of disability. Extended disability leaves will also be considered on a case-by-case basis, consistent with the Oro Grande School District's obligations under federal and state disability laws.

Employees should request any leave in writing as far in advance as possible. If you are granted a medical leave, Oro Grande School District will pay you sick pay for the period of time equivalent to your accumulated sick pay earned. You also may use any paid vacation time previously accrued.

A medical leave begins on the first day your doctor certifies that you are unable to work, and ends when your doctor certifies that you are able to return to work. Human Resources will supply you with a form for your doctor to complete, showing the date you were disabled and the estimated date you will be able to return to work. An employee returning from a medical disability leave must present a doctor's certificate declaring fitness to return to work.

If returning from a non-work-related medical leave, you will be offered the same position you held at the time your leave began, if available. If your former position is not available, a comparable position will be offered. If neither the same nor a comparable position is available, your return to work will depend on job openings existing at the time of your scheduled return. Oro Grande School District makes no guarantees of reinstatement, and your return will depend on your qualifications for existing openings.

California workers' compensation laws govern work-related injuries and illnesses. California pregnancy disability laws govern leaves taken because of pregnancy, childbirth, and related medical conditions. An employee that needs reasonable accommodations should contact a Oro Grande School District representative with day-to-day personnel responsibilities and discuss the need for an accommodation.

Any leave taken under this provision qualifying as leave under the state and/or federal family and medical leave laws (FMLA/CFRA) will be counted as family/medical leave, charged to your entitlement of 12 workweeks of family/medical leave in a 12-month period, and governed by the rules relating to family/medical leave.

## Pregnancy Disability Leave Five or More Employees

If you are pregnant, have a related medical condition, or are recovering from childbirth, please review this policy. Any employee planning to take pregnancy disability leave should advise the personnel department as early as possible. The individual should make an appointment with the Director of Administrative Services to discuss the following conditions:

- Duration of pregnancy disability leave will be determined by the advice of the employee's physician, but employees disabled by pregnancy may take up to four months of leave per pregnancy (the working days you normally would work in one-third of a year or 17 1/3 weeks). Part-time employees are entitled to leave on a pro rata basis. The four months of leave includes any period of time for actual disability caused by the employee's pregnancy, childbirth, or related medical condition. This includes leave for severe morning sickness and for prenatal care, doctor-ordered bed rest, as well as other reasons. Your healthcare provider determines how much time you need for your disability.
- Oro Grande School District will also reasonably accommodate medical needs related to pregnancy, childbirth, or related conditions or temporarily transfer you to a less strenuous or hazardous position (where one is available) or duties if medically needed because of your pregnancy.
- Employees who need to take pregnancy disability must inform Oro Grande School District when a leave is expected to begin and how long it will likely last. If the need for a leave, reasonable accommodation, or transfer is foreseeable (such as the expected birth of a child or a planned medical treatment for yourself), employees must provide at least 30 days advance notice before the pregnancy disability leave or transfer is to begin. Employees must consult with the Director of Administrative Services regarding the scheduling of any planned medical treatment or supervision in order to minimize disruption to the operations of the Oro Grande School District. Any such scheduling is subject to the approval of the employee's health care provider;
- For emergencies or events that are unforeseeable, you must notify the Oro Grande School District, at least verbally, as soon as practical after you learn of the need for the leave.
- Failure to comply with these notice requirements may result in delay of leave, reasonable accommodation, or transfer;
- Pregnancy leave usually begins when ordered by the employee's physician. The employee must provide Oro Grande School District with a written certification from

a health care provider for need of PDL, reasonable accommodation or transfer. The certification must be returned no later than 15 calendar days after it is requested by the Oro Grande School District. Failure to do so may, in some circumstances, delay PDL leave, reasonable accommodation or transfer. Please see the personnel department for a medical certification form to give to your health provider.

- Leave returns will be allowed only when the employee's physician sends a release;
- An employee will be required to use accrued sick time (if otherwise eligible to take the time) during a pregnancy disability leave. An employee will be allowed to use accrued vacation or personal time (if otherwise eligible to take the time) during a pregnancy disability leave; and
- Leave does not need to be taken in one continuous period of time and may be taken intermittently, as needed. Leave may be taken in a minimum of 1 hour increments.

If intermittent leave or leave on a reduced work schedule is medically advisable the employee may, in some instances, be required to transfer temporarily to an available alternative position that meets the employee's needs. The alternative position need not consist of equivalent duties, but must have the equivalent rate of pay and benefits. The employee must be qualified for the position. The position must better accommodate the employee's leave requirements than her regular job. Transfer to an alternative position can include altering an existing job to better accommodate the employee's need for intermittent leave or a reduced work schedule.

Upon submission of a medical certification that an employee is able to return to work from a pregnancy disability leave, an employee will be reinstated to her same position held at the time the leave began or, in certain instances, to a comparable position, if available. There are limited exceptions to this policy. An employee returning from a pregnancy disability leave has no greater right to reinstatement than if the employee had been continuously employed.

Employees on pregnancy disability leave will be allowed to continue to participate in group health insurance coverage for up to a maximum of four months of disability leave (if such insurance was provided before the leave was taken) at the level and under the conditions that coverage would have been provided if the employee had continued in employment continuously for the duration of the leave. In some instances, an employer can recover from an employee premiums paid to maintain health coverage if the employee fails to return following pregnancy disability leave. PDL may impact other benefits or a seniority date. Please contact the Director of Administrative Services for more information.

## School and Child Care Activities Leave

Employees are encouraged to participate in the school or child care activities of their child(ren).

The absence is subject to all of the following conditions:

- Time off under this policy can only be used by parents, guardians, grandparents, stepparents, foster parents or a person who stands in loco parentis to one or more children of the age to attend kindergarten through grade 12 or a licensed child care provider;
- The amount of time off for school or child care activities described below cannot exceed a total of 40 hours each year;
- Covered employees can use the time off to find, enroll or reenroll a child in a school or with a licensed child care provider or to participate in activities of the child's school or licensed child care provider. The time off for these purposes cannot exceed eight hours in any calendar month. Employees planning to take time off for these purposes must provide reasonable advance notice to their supervisor;
- Covered employees can also use time off to address a "child care provider or school emergency" if the employee gives notice to the employer. A child care provider or school emergency means that the employee's child cannot remain in a school or with a child care provider due to one of the following:
  - The school or child care provider has requested that the child be picked up, or has an attendance policy (excluding planned holidays) that prohibits the child from attending or requires the child to be picked up from the school or child care provider;
  - Behavioral or discipline problems;
  - Closure or unexpected unavailability of the school or child care provider, excluding planned holidays; or
  - A natural disaster, including, but not limited to, fire, earthquake or flood.
- Employees must provide their supervisor with documentation from the school or licensed child care provider verifying that they were engaged in these child related activities on the day and time of the absence;
- If more than one parent is employed by Oro Grande School District, the first employee to request such leave will receive the time off. Another parent will receive the time off only if the leave is approved by his or her supervisor;
- Employees must use vacation(including but not limited to Personal Necessity) leave in order to receive compensation for this time off; and

- Employees who do not have paid time off available will take the time off without pay.
- If an employee who is the parent or guardian of a child facing suspension from school is summoned to the school to discuss the matter, the employee should alert his or her supervisor as soon as possible before leaving work. In agreement with California Labor Code Section 230.7, no discriminatory action will be taken against an employee who takes time off for this purpose.

## Organ and Bone Marrow Donor Leave

Employees who are donors for organ or bone marrow may take time off as follows:

- You must be employed for at least a 90-day period immediately before the beginning of leave.
- You may take up to 30 business days of paid leave, and up to an additional 30 business days of unpaid leave in any one-year period for the purpose of donating an organ to another person. The one-year period is calculated from the date the employee begins their leave.
- You may take up to 5 business days of leave in any one-year period for the purpose of donating bone marrow to another person. The one-year period is calculated from the date the employee's leave begins.
- During the leave for organ/bone marrow donors, Oro Grande School District will continue to provide and pay for any group health plan benefits the employee was enrolled in prior to the leave of absence.
- Leave taken for the purpose of organ or bone marrow donation is not leave for the purpose of family medical leave under the federal Family and Medical Leave Act or the state California Family Rights Act.

Employees who wish to take a leave of absence to donate bone marrow or an organ will be required to provide written verification of the need for leave, including confirmation that the employee is an organ or bone marrow donor and that there is a medical necessity for the donation of the organ or bone marrow.

Oro Grande School District requires that employees taking leave for organ donation use two weeks of accrued but unused sick leave, PTO and/or vacation.

Oro Grande School District requires that employees taking leave for bone marrow donation use five days of accrued but unused sick leave, PTO and/or vacation.

Once a Donor has exhausted the required paid sick, PTO and/or vacation leave, the employee will be paid for the remaining leave of absence, if additional leave is needed, up to the maximum allowed by law.



## Benefits

## Benefits Overview

Oro Grande School District is committed to providing the following benefits for eligible employees. Benefit eligibility may be dependent upon your employee classification (full-time versus part-time, for example) and on length of continuous employment at Oro Grande School District. Benefit eligibility requirements may also be imposed by the plans themselves.

Upon becoming eligible for certain employee benefit plans, you will receive Summary Plan Descriptions which describe the benefits in greater detail. For information regarding employee benefits and to answer any questions you may contact the Director of Administrative Services.

The Oro Grande School District paid contribution shall be granted on a monthly basis, prorated based upon individual employee's benefit start date. The start date for each individual employee's benefits are determined by submission of benefit paperwork prior to the payroll lock date each month. If submitted after the payroll lock date benefits will be enacted effective the following month. All benefits are effective the first day of the month regardless of start date.

The Oro Grande School District offers the following employee benefits to Full-time employees (40 hours per week):

- Health Insurance (\$220.00 granted to Part-time employees that work 30-39 hours per week.)
- Dental Insurance
- Vision Insurance
- Retirement Plan
- Life Insurance

Full-Time Employees that decline health insurance have the option to elect a fringe benefit as provided by the district Opt-Out Form. The district determined amount shall be granted on a yearly basis, prorated based upon individual employee's fringe benefit start date. The start date for each individual employee's fringe benefits are determined by submission of fringe benefit paperwork prior to the payroll lock date each month. If submitted after the payroll lock date fringe benefits will be enacted effective the following month. All fringe benefits are effective the first day of the month regardless of employee start date.

## Eligibility

You are eligible for benefits if you work 30 or more hours per week. You may also enroll your eligible family members under certain plans you choose for yourself. Eligible family members include:

§ Your legally married spouse.

§ Your registered domestic partner (RDP) and/or his/her children, where applicable by state law.

§ Your children who are your biological children, stepchildren, adopted children or children for whom you have legal custody (age restrictions may apply). Disabled children age 26 or older who meet certain criteria may continue on your health coverage.

## Be Advised

Due to IRS regulations, you cannot change your elections until the next annual Open Enrollment period, unless you have a qualified life event during the year. Following are examples of the most common qualified life events:

- Marriage or Divorce
- Birth or Adoption of a child
- Child reaching the maximum age limit
- Death of a spouse, RDP, or child
- You lose coverage under your spouse's/RDP's plan
- You gain access to state coverage under Medicaid or CHIP

## Making Changes

To make changes to your benefit elections, you must contact Human Resources within 31 days of the qualified life event (including newborns). Be prepared to show documentation of the event such as a marriage license, birth certificate or a divorce decree. If changes are not submitted on time, you must wait until the next Open Enrollment period to make your election changes.

The Oro Grande School District reserves the right to modify, amend or terminate benefits and to modify or amend benefit eligibility requirements at any time and for any reason, subject to any legal restrictions.

Subject to annual revision.

## Paid Family Leave

Employees may be eligible for Paid Family Leave (PFL) wage replacement benefits, which are funded through payroll deductions and coordinated through the Employment Development Department (EDD). PFL provides partial pay for up to eight weeks when you need to take leave from work to:

- To care for a parent, parent-in-law, child, spouse, registered domestic partner, grandparent, grandchild, or sibling who is seriously ill;
- To bond with your newborn, foster child or newly adopted child: or
- For a qualifying exigency related to the covered active duty or call to covered active duty of your spouse, registered domestic partner, parent, or child in the Armed Forces of the United States.

The PFL program does not provide employees with a right to a leave of absence; it is limited to a state-mandated wage replacement benefit.

## Workers' Compensation

Oro Grande School District, in accordance with state law, provides insurance coverage for employees in case of work-related injury. The workers' compensation benefits provided to injured employees may include:

- Medical care;
- Cash benefits, tax free, to replace lost wages; and
- Assistance to help qualified injured employees return to suitable employment.

To ensure that you receive any workers' compensation benefits to which you may be entitled, you need to:

- Immediately report any work-related injury to your supervisor;
- Seek medical treatment and follow-up care if required;
- Complete a written Employee's Claim for Workers' Compensation Benefits (DWC Form 1) and return it to Human Resources; and
- Provide the Oro Grande School District with a certification from your health care provider regarding the need for workers' compensation disability leave, as well as your eventual ability to return to work from the leave.

Upon submission of a medical certification that an employee is able to return to work after a workers' compensation leave, the employee under most circumstances will be reinstated to their same position held at the time the leave began, or to an equivalent position, if available. An employee returning from a workers' compensation leave has no greater right to reinstatement than if the employee had been continuously employed rather than on leave.

An employee's return depends on their qualifications for any existing openings. If, after returning from a workers' compensation disability leave, an employee is unable to perform the essential functions of their job because of a physical or mental disability, the Oro Grande School District's obligations to the employee may include reasonable accommodation, as governed by the Americans with Disabilities Act or the California Fair Employment and Housing Act.

The law requires Oro Grande School District to notify the workers' compensation insurance Oro Grande School District of any concerns of false or fraudulent claims.

COVID-19

COVID-19 may be a work-related injury. If you test positive for COVID-19, please notify the Oro Grande School District immediately so we may notify our workers' compensation carrier as required by law.

#### Oro Grande School District-Provided Physician

Oro Grande School District provides medical treatment for work-related injuries through a medical provider network, Dr. Moushabek or other approved designated medical providers which the Oro Grande School District has chosen to provide medical care to injured employees because of their experience in treating work-related injuries.

#### Workers' Compensation and CFRA/FMLA

Employees who are ill or injured as a result of a work-related incident, and who are eligible for family and medical leave under state and/or federal law California Family Rights Act (CFRA) and/or Family Medical Leave Act (FMLA), will be placed on CFRA and/or FMLA during the time they are disabled and not released to return to work. The leave under these laws will generally run concurrently.

## External Employee Education

Some employees may need to attend training programs, seminars, conferences, lectures, meetings, or other outside activities for the benefit of Oro Grande School District or the individual employees. Attendance at such activities, whether required by the Oro Grande School District or requested by individual employees, requires the written approval of the Site Administrator. To obtain approval, any employee wishing to attend an activity must submit a written request detailing all relevant information, including date, hours, location, cost, expenses, and the nature, purpose, and justification for attendance.

Attendance at any such event is subject to the following policies on reimbursement and compensation as well as all professional behavioral expectations for Oro Grande District employees. For attendance at events required or authorized by the Oro Grande School District, customary and reasonable expenses will be reimbursed upon submission of proper receipts. Acceptable expenses generally include registration fees, materials, meals, transportation, and parking. Reimbursement policies regarding these expenses should be discussed with the Site Administrator in advance.

Employee attendance at authorized outside activities will be considered hours worked for non-exempt employees and will be compensated in accordance with normal payroll practices.

This policy does not apply to an employee's voluntary attendance, outside of normal working hours, at formal or informal educational sessions, even if such sessions generally may lead to improved job performance. While Oro Grande School District generally encourages all employees to improve their knowledge, job skills, and promotional qualifications, such activities do not qualify for reimbursement or compensation under this policy unless prior written approval is obtained as described previously.



## Holidays

For the calendar year, Oro Grande School District observes the following paid holidays:

- January 1 (New Year's Day)
- Martin Luther King Jr.'s Birthday
- Washington's Birthday
- Lincoln's Birthday
- Memorial Day
- July 4th (Independence Day)
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Christmas Day
- Floating Holiday (as determined by the superintendent (3))

When a holiday falls on a Saturday or Sunday, it is usually observed on the preceding Friday or the following Monday. However, Oro Grande School District may grant another day off in lieu of closing. Holiday observance will be announced in advance.

Refer to Board Policy 4494 as well as Oro Grande District website for updated calendar information.

## Lactation Accommodation

Oro Grande School District recognizes lactating employees' rights to request lactation accommodation, and accommodates lactating employees by providing a reasonable amount of break time and a suitable lactation location to any employee who desires to express breast milk for their infant child, subject to any exemption allowed under applicable law.

If possible, the break time should run concurrently with your normally scheduled break time. Any break time to express breast milk that does not run concurrently with your normally scheduled break time is unpaid.

The lactation location will be private (shielded from view and free from intrusion from co-workers and the public) and located close to your work area. The location will be safe, clean and free of toxic or hazardous materials; have a surface to place a breast pump and other personal items; have a place to sit; and have access to electricity or alternative devices (including, but not limited to extension cords or charging stations) needed to operate an electric or battery-powered breast pump. Oro Grande School District will also provide access to a sink with running water and a refrigerator suitable for storing milk in close proximity to your workspace. If a refrigerator cannot be provided, Oro Grande School District will provide another cooling device suitable for storing milk, such as an employer-provided cooler. The lactation location will not be a bathroom or restroom. The room or location may include an employee's private office if it otherwise meets the requirements of the lactation space. Multi-purpose rooms may be used as lactation space if they satisfy the requirements for space; however, use of the room for lactation takes priority over other uses for the time it is in use for lactation purposes.

Employees who desire lactation accommodations should contact Human Resources to request accommodations. An employee's request may be provided orally, by email, or in writing, and need not be submitted on a specific form. We will engage in an interactive process with you to determine when and where lactation breaks will occur. If we cannot provide break time or a location that complies with this policy, we will provide a written response to your request.

Oro Grande School District will not tolerate discrimination or retaliation against employees who exercise their rights to lactation accommodation, including those who request time to express milk at work and/or who lodge a complaint related to the right to lactation accommodation. If you believe you have been denied reasonable break time

or adequate space to express milk, or have been otherwise been denied your rights related to lactation accommodation, you have the right to file a complaint with the District Personnel Office.

## Management

## Employee Property

An employee's personal property, including but not limited to lockers, packages, purses, and backpacks, may be inspected upon reasonable suspicion of unauthorized possession of Oro Grande School District property, possession of dangerous weapons or firearms, or abuse of the Oro Grande School District's drug and alcohol policy.

## Employment of Relatives

Relatives of employees may be eligible for employment with Oro Grande School District only if individuals involved do not work in a direct supervisory relationship, or in job positions in which there is a conflict of interest. The Oro Grande School District defines "relatives" as spouses, registered domestic partners, children, siblings, parents, in-laws, and step-relatives. Present employees who marry or become registered domestic partners will be permitted to continue working in the job position held only if they do not work in a direct supervisory relationship with one another or in job positions involving conflict of interest.

## Names and Addresses Policy

Oro Grande School District is required by law to keep current all employees' names and addresses. Employees are responsible for notifying the Oro Grande School District in the event of a name or address change.

## Performance Evaluations

Each employee will receive periodic performance reviews conducted by his or her supervisor. Your first performance evaluation will take place during the first 6 months of employment. Subsequent performance evaluations will be conducted annually within the first semester for new certificated, second semester for all other certificated staff. Classified employees will be evaluated during the first 6 months of employment. All subsequent evaluations will take place annually. The frequency of performance evaluations may vary depending upon length of service, job position, past performance, changes in job duties, or recurring performance problems.

Your performance evaluations may review factors such as the quality and quantity of the work you perform, your knowledge of the job, your initiative, your work attitude, and your attitude toward others. The performance evaluations are intended to make you aware of your progress, areas for improvement, and objectives or goals for future work performance. Favorable performance evaluations do not guarantee increases in salary or promotions. Salary increases and promotions are solely within the discretion of Oro Grande School District and established, School Board approved salary schedules for specific areas of employment. After the review, you will be required to sign the evaluation report simply to acknowledge that it has been presented to you, that you have discussed it with your supervisor, and that you are aware of its contents.



## Personnel Records

You have a right to inspect or receive a copy of the personnel records that Oro Grande School District maintains relating to your performance or to any grievance concerning you. Certain documents may be excluded or redacted from your personnel file by law, and there are legal limitations on the number of requests that can be made.

Any request to inspect or copy personnel records must be made in writing to the Director of Administrative Services. You can obtain a form for making such a written request from the Director of Administrative Services.

You may designate a representative to conduct the inspection of the records or receive a copy of the records. However, any designated representative must be authorized by you in writing to inspect or receive a copy of the records. Oro Grande School District may take reasonable steps to verify the identity of any representative you have designated in writing to inspect or receive a copy of your personnel records.

The personnel records may be made available to you either at the place where you work or at a mutually agreeable location (with no loss of compensation for going to that location to inspect or copy the records). The records will be made available no later than 30 calendar days from the date Oro Grande School District receives your written request to inspect or copy your personnel records (unless you/your representative and Oro Grande School District mutually agree in writing to a date beyond 30 calendar days but no later than 35 calendar days from receipt of the written request).

If you request a copy of the contents of your file, you will be charged the actual cost of copying.

Disclosure of personnel information to outside sources, other than your designated representative, will be limited. However, Oro Grande School District will cooperate with request from authorized law enforcement or local, state, or federal agencies conducting official investigations and as otherwise legally required.

## Open-Door Policy

Suggestions for improving Oro Grande School District are always welcome. At some time, you may have a complaint, suggestion, or question about your job, your working conditions, or the treatment you are receiving. Your complaints, questions, and suggestions also are of concern to the Oro Grande School District.

If you have a complaint, suggestion or question, speak with your immediate supervisors as soon as possible. If you are not comfortable speaking to your immediate supervisor, please bring the issue to the Executive Director of Personnel, Asst. Superintendent of Personnel-HR or any other member of Oro Grande School District management.

Moreover, if you have raised the issue and if the problem persists, you may present it to the Executive Director of Personnel, Asst. Superintendent of Personnel-HR, who will investigate and provide a solution or explanation.

If the problem is not resolved, you may also present the problem to the Superintendent of Oro Grande School District, who will attempt to reach a final resolution.

While a written complaint will assist us in investigating your concerns, it is not required that you put your complaint in writing. If you need assistance with your complaint, or you prefer to make a complaint in person, contact Site Administrator, Assistant Superintendent of Personnel-HR, Executive Director of Personnel.

This procedure, which we believe is important for both you and the Oro Grande School District, cannot guarantee that every problem will be resolved to your satisfaction. However, Oro Grande School District values your observations and you should feel free to raise issues of concern without the fear of retaliation.

## Workplace Privacy - Audio/Video Recordings

Due to concerns regarding the potential for invasion of privacy, sexual or other harassment, and protection of proprietary or confidential information, employees may not use any audio or video recording devices while on working time without the expressed written consent of the Oro Grande School District. Employees also may not use any audio or video recordings in work areas that Oro Grande School District has identified as confidential, secure or private, unless the employee is engaged in protected activity related to improving the terms and conditions of his/her employment, such as documenting health and safety issues.

California Law Penal Code § 632, enacted under the California Invasion of Privacy Act, makes it illegal for an individual to monitor or record a "confidential communication" whether the communication is carried on among the parties in the presence of one another or by means of a telegraph, telephone, or other device. California is known as a "two-party" state, which means that recordings are not allowed unless all parties to the conversation consent to the recording.

Under Penal Code § 632(c), "confidential communication" includes any communication carried on in circumstances as may reasonably indicate that any party to the communication desires it to be confined to the parties, but excludes a communication made in a public gathering or in any legislative, judicial, executive or administrative proceeding open to the public, or in any other circumstance in which the parties to the communication may reasonably expect that the communication may be overheard or recorded. A violation of Penal Code § 632 can lead to a fine of up to \$2,500 and/or imprisonment for up to a year (misdemeanor). In addition, the violator may be subject to civil liability in the amount of \$5,000 or three times the amount of any actual damages sustained as a result.

The Oro Grande School District uses or may use video surveillance in public areas (not in restrooms, locker rooms or changing areas). The video surveillance will not include sound recording.

Refer to California Education Code 51512.

Company Property

## Bulletin Boards

Oro Grande School District maintains bulletin boards located in Staff Break Room areas.

Bulletin boards are used to provide information to employees concerning Health, Safety, opportunities for growth, etc..

Employees may not post items on Oro Grande School District bulletin boards unless the following conditions are met:

- Postings may be made by Oro Grande School District employees only;
- The information to be posted must first be approved by the Assistant Superintendent of Personnel/HR, Site Administrator;
- Postings are limited to 8.5" x 11" in size;
- Bulletin boards will be updated As Needed; and
- Posted items will be dated and will be removed after One Month.

## Housekeeping

All employees are expected to keep their work areas clean and organized. People using common areas such as lunch rooms, locker rooms, and restrooms are expected to keep them sanitary. Please clean up after meals and dispose of trash properly.

Employees must also follow all COVID-19 safety and policies and procedures at all times.

## Electronic and Social Media

This policy is intended to protect the Oro Grande School District computer systems and electronic information.

For purposes of these policies, the following definitions apply: "Computers" are defined as desktop computers, laptops, handheld devices (including but not limited to iPhones, Black berries, smart phones, iPads, and other electronic tablets and cell phones), computer software/hardware and servers, and

- Oro Grande School District
- Oro Grande, California
- Employee Use of Technology
- AR 4040(a)
- Personnel
- Online/Internet Services: User Obligations and Responsibilities
- Employees are authorized to use district equipment to access the Internet or other online services in accordance with Board policy, the district's Acceptable Use Agreement, and the user obligations and responsibilities specified below.
- 1. The employee in whose name an online services account is issued is responsible for its proper use at all times. Employees shall keep account information, home addresses, and telephone numbers private. They shall use the system only under the account number to which they have been assigned.
- 2. Employees shall use the system safely, responsibly, and primarily for work-related purposes.
- 3. Employees shall not access, post, submit, publish, or display harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race, ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs.
- (cf. 4030 - Nondiscrimination in Employment)
- (cf. 4031 - Complaints Concerning Discrimination in Employment)
- (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
- 4. Employees shall not use the system to promote unethical practices or any activity prohibited by law, Board policy, or administrative regulations.
- (cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)
- 5. Employees shall not use the system to engage in commercial or other for-profit activities without permission of the Superintendent or designee.

- 6. Copyrighted material shall be posted online only in accordance with applicable copyright laws.
- (cf. 6162.6 - Use of Copyrighted Materials)
- 7. Employees shall not attempt to interfere with other users' ability to send or receive email, nor shall they attempt to read, delete, copy, modify, or forge other users' email.
- AR 4040(b)
- 8. Employees shall not develop any classroom or work-related web sites, blogs, forums, or similar online communications representing the district or using district equipment or resources without permission of the Superintendent or designee. Such sites shall be subject to rules and guidelines established for district online publishing activities including, but not limited to, copyright laws, privacy rights, and prohibitions against obscene, libelous, and slanderous content. Because of the unfiltered nature of blogs, any such site shall include a disclaimer that the district is not responsible for the content of the messages. The district retains the right to delete material on any such online communications.
- (cf. 1113 - District and School Web Sites)
- 9. Users shall report any security problem or misuse of the services to the Superintendent or designee.
- (6/96 7/01) 7/07

Oro Grande School District also uses various forms of "electronic communication." "Electronic communications" includes e-mail, text messages, telephones, cell phones and other handheld devices (such as cell phones, Blackberries or smart phones or writing tablets or iPads), fax machines, and online services including the Internet.

"Electronic information" is any information created by an employee using computers or any means of electronic communication, including but not limited to, data, messages, multimedia data, and files.

The following general policies apply:

- Computers and all data transmitted through Oro Grande School District servers are Oro Grande School District property owned by the Oro Grande School District for the purpose of conducting Oro Grande School District business. These items must be maintained according to Oro Grande School District rules and regulations. Computers must be kept clean and employees must exercise care to prevent loss and damage. Prior authorization must be obtained before any Oro Grande School District property may be removed from the premises.



- All electronic communications also remain the sole property of Oro Grande School District and are to be used for Oro Grande School District business. For example, email messages are considered Oro Grande School District records.
- Electronic information created by an employee using any computer or any means of electronic communication is also the property of Oro Grande School District and remains the property of Oro Grande School District.
- Information stored in Oro Grande School District computers and file servers, including without limitation Student information, employee information, nor any other information that has not been approved for distribution by the Superintendent of the Oro Grande School District is the property of the Oro Grande School District and may not be distributed outside the Oro Grande School District in any form whatsoever without the written permission of the Superintendent.
- Violation of any of the provisions of this policy, whether intentional or not, will subject Oro Grande School District employees to disciplinary action, up to and including termination.

### Monitoring of Oro Grande School District Property

Oro Grande School District reserves the right to inspect all Oro Grande School District property to ensure compliance with its rules and regulations, without notice to the employee and at any time, not necessarily in the employee's presence. Oro Grande School District computers and all electronic communications and electronic information are subject to monitoring and no one should expect privacy regarding such use. The Oro Grande School District reserves the right to access, review and monitor electronic files, information, messages, text messages, e-mail, Internet history, browser-based webmail systems and other digital archives and to access, review and monitor the use of computers, software, and electronic communications to ensure that no misuse or violation of Oro Grande School District policy or any law occurs. E-mail may be monitored by the Oro Grande School District and there is no expectation of privacy. Assume that e-mail may be accessed, forwarded, read or heard by someone other than the intended recipient, even if marked as "private."

Employee passwords may be used for purposes of security but the use of a password does not affect the Oro Grande School District's ownership of the electronic information or ability to monitor the information. The Oro Grande School District may override an employee's password for any reason.

Employees are not permitted to access the electronic communications of other

employees or third parties unless directed to do so by Oro Grande School District management.

### Prohibited Use

All existing Oro Grande School District policies apply to employee use of computers, electronic communications, electronic information, and the Internet. This includes policies that deal with misuse of Oro Grande School District assets or resources. It is a violation of Oro Grande School District policy to use computers, electronic communications, electronic information, or the Internet, in a manner that: is discriminatory harassing or obscene; constitutes copyright or trademark infringement; violates software licensing rules; is illegal; or is against Oro Grande School District policy. It is also a violation of policy to use computers, electronic communications, electronic information, or the Internet to communicate confidential or sensitive information or trade secrets.

The display of any kind of sexually explicit multimedia content, message, or document on any Oro Grande School District computer is a violation of the Oro Grande School District's policy against sexual harassment. This description of prohibited usage is not exhaustive and it is within the discretion of Oro Grande School District to determine if there has been a violation of this policy. Employees that engage in prohibited use will be subject to discipline and/or immediate termination.

This policy is not intended to limit the ability of employees to discuss with other employees the terms and conditions of their employment, including such topics as wages, job performance, workload, supervisors, or staffing.

### Computer and Internet Use

Oro Grande School District provides computers, electronic communications, electronic information, and information technology resources, including the Internet, to its employees to help them do their job. Generally, these Oro Grande School District resources should be used for business related purposes. However, the Oro Grande School District recognizes that occasional personal use of these Oro Grande School District resources and property may occur during working time. The Oro Grande School District allows such occasional personal use as long as the usage does not interfere with the employee's work performance, take away from work time, consume supplies, slow other users, slow the servers or computer systems, or tie up printers or

other shared resources, or violate any Oro Grande School District policy, including policies against harassment, discrimination and disclosure of confidential or trade secret information.

This policy is not intended to limit the ability of employees to use Oro Grande School District email systems to communicate with other employees regarding the terms and conditions of their employment, including such topics as wages, job performance, workload, supervisors or staffing.

All policies relating to monitoring usage of Oro Grande School District property apply. Oro Grande School District reserves the right to adjust this policy on a case by case basis as it deems appropriate.

## Social Media

Oro Grande School District uses social media in limited circumstances for defined business purposes. Social media is a set of Internet tools that aid in the facilitation of interaction between people online. If you have specific questions about which programs the Oro Grande School District deems to be social media, consult with Site Administrator, Director of Technology, Public Information Officer .

Use of Internet based programs such as Facebook, Linked In, and Twitter (this is not meant to be an exhaustive list) may be used in furtherance of Oro Grande School District goals. However, only authorized individuals are allowed to speak/write in the name of Oro Grande School District using the social media tools of the Oro Grande School District such as:

- Oro Grande School District Website
- Riverside Preparatory School Website(s)
- Mojave River Resource Center Website(s)
- Mojave River Academy Twitter Accounts
- Mojave River Academy Facebook page
- Riverside Preparatory School Facebook page

Your Site Administrator, Director of Technology, Public Information Officer will authorize you in writing if you can use these Oro Grande School District social media tools to perform your job duties. Authorized individuals using the Oro Grande School District social media tools shall identify themselves honestly, accurately and completely and comply with all Oro Grande School District policies in using this media.

Your authorization is limited to business purposes and personal use of these Oro Grande School District social media tools or programs is prohibited and can result in discipline up to and including termination. All policies relating to monitoring usage of Oro Grande School District property apply.

Employees can use their own personal devices to engage in social media during non-working times, such as breaks and meal periods; however, all other Oro Grande School District policies against inappropriate usage, including the Oro Grande School District's no tolerance for discrimination, harassment or retaliation in the workplace, and protection of confidential and trade secret information apply.

Nothing in the Oro Grande School District social media policy is designed to interfere with, restrain or prevent employee communications regarding wages, hours or other terms and conditions of employment.

#### Employee-owned Devices

Oro Grande School District recognizes that occasional use of the employee's own computers (including hand held devices) and electronic communications may occur during working time. The Oro Grande School District allows such occasional personal use as long as the usage does not interfere with the employee's work performance, take away from work time or violate any Oro Grande School District policy. All other district policies, including the Oro Grande School District's no tolerance for discrimination, harassment or retaliation in the workplace apply. Oro Grande School District reserves the right to adjust this policy on a case by case basis as it deems appropriate.

## Employer Property

Lockers, furniture, desks, computers, cell phones, data processing equipment/software, vehicles, and:

- Facilities
- Fields
- all other property owned by the Oro Grande School District and/or its subsidiaries

are Oro Grande School District property and must be maintained according to Oro Grande School District rules and regulations. They must be kept clean and are to be used only for work-related purposes. Oro Grande School District reserves the right to inspect all Oro Grande School District property including computer or phone data or messages to ensure compliance with its rules and regulations, without notice to the employee and at any time, not necessarily in the employee's presence. Prior authorization must be obtained before any Oro Grande School District property may be removed from the premises.

Oro Grande School District voice mail and/or electronic mail (e-mail) including texting, pagers and mobile email are to be used for business purposes. Oro Grande School District reserves the right to monitor voice mail messages, and e-mail messages, and texts to ensure compliance with this rule, without notice to the employee and at any time, not necessarily in the employee's presence.

Oro Grande School District may periodically need to assign and/or change "passwords" and personal codes for:

- Email, Voicemail, cell phones, computers, software programs, etc.

These communication technologies and related storage media and databases are to be used only for Oro Grande School District business and they remain the property of Oro Grande School District.

Oro Grande School District reserves the right to keep a record of all passwords and codes used and/or may be able to override any such password system. Messages on the Oro Grande School District voice-mail and email systems are subject to the same Oro Grande School District policies against discrimination and harassment as are any workplace communications. Offensive, harassing or discriminatory content in such messages will not be tolerated and will result in disciplinary action including but not

limited termination.

No personal locks may be used on Oro Grande School District-provided lockers unless the employee furnishes a copy of the key or the combination to the lock. Unauthorized use of a personal lock by an employee may result in losing the right to use a Oro Grande School District locker.

For security reasons, employees should not leave personal belongings of value in the workplace. Terminated employees should remove any personal items at the time they leave Oro Grande School District. Personal items left in the workplace are subject to disposal if not claimed at the time of an employee's termination.

## Guests and Visitors

Visits from friends and family are to be kept to a minimum, in order to preserve an appropriate work environment. It is extremely important that the impression left with Oro Grande School District visitors is that of a professional organization with the highest standards of conduct.

Emergencies in which children must be in the office for an extended length of time are to be kept to an absolute minimum. The Oro Grande School District may not be used as a substitute for regular child care of employees' children. On those occasions when children are present, they should not be allowed to disrupt others in the office.

Your child is your responsibility and must be under your direct supervision at all times. If a child is ill, you must present a doctor's note to your immediate supervisor indicating the child is not contagious. Under no circumstances may children provide work for the Oro Grande School District, unless the child is hired as an employee pursuant to Oro Grande School District policies.

The Oro Grande School District reserves its right in its sole discretion to deny such a request for reasons including, but not limited to, the requested guest or visitor has been disruptive in the past, there is a special event scheduled on the date(s) requested, or the work environment is not appropriate for the visitor or guest due to safety or other reasons. All guests and visitors must be identified by visitor/guest pass while on campus.

## Parking

Employees may park their vehicles in designated areas, if space permits. If space is unavailable, employees must park in permissible public areas in the vicinity of Oro Grande School District property. Employees may not use parking areas specifically designated for customers, vendors, Oro Grande School District vehicles, or reserved for managers. Oro Grande School District is not responsible for any loss or damage to employee vehicles or contents while parked on Oro Grande School District property.



## Solicitation and Distribution of Literature

In order to ensure efficient operation of the Oro Grande School District's business and to prevent disruption to employees, we have established control of solicitations and distribution of literature on Oro Grande School District property. Oro Grande School District has enacted rules applicable to all employees governing solicitation, distribution of written material, and entry onto the premises and work areas. All employees are expected to comply strictly with these rules. Any employee who is in doubt concerning the application of these rules should consult with his or her supervisor.

No employee shall solicit or promote support for any cause or organization during his or her working time or during the working time of the employee or employees at whom such activity is directed. No employee shall distribute or circulate any written or printed material in work areas at any time, or during his or her working time or during the working time of the employee or employees at whom such activity is directed.

Under no circumstances will non-employees be permitted to solicit or to distribute written material for any purpose on Oro Grande School District property.

## Prohibiting Personal Use of Company Cell Phone

Cell phones (including handheld devices and smart phones such as iPhones) may be provided to some employees to assist them in performing their job. Cell phones are Oro Grande School District property. Data (including web browsing), messages (including voice mail, mobile email, and text messaging), and other stored electronic information is subject to monitoring and the employee does not have an expectation of privacy in the use of this Oro Grande School District property.

The Oro Grande School District may ask you to assign a password to your Oro Grande School District cell phone to prevent unauthorized access. This password does not affect the Oro Grande School District's ownership of the cell phone or ability to monitor the information.

Oro Grande School District cell phones must not be used in any manner that violates any other Oro Grande School District policy, including safety policies, confidentiality policies, electronic and social media policies, and policies against discrimination and harassment.

Employees who are provided a Oro Grande School District cell phone may use it to send and receive occasional and limited personal communications. Any personal usage of a Oro Grande School District-issued cell phone must not interfere with the employee's work performance, take away from work time, or violate any Oro Grande School District policy, including policies against harassment, discrimination and disclosure of confidential or trade secret information. Employees are responsible for paying for additional time or data usage in excess of any rate plan maintained by the Oro Grande School District and unrelated to performance of job duties or following Oro Grande School District directions.

## Employee District/Classroom/Facility Keys

Oro Grande School District Employees are provided keys specific to their assigned classrooms and instructional facilities. Restrooms keys will also be provided as necessary.

Oro Grande School District Employees may not reproduce campus/site/district keys for any purpose.

Oro Grande School District Employees will be held responsible for the use of their keys at all times and as such are not permitted to provide assigned keys to any unauthorized individual.

An unauthorized individual is defined as any person not employed by the Oro Grande School District operating within the scope and sequence of their employment duties. (Students are included in this definition as unauthorized individuals).

Any lost keys should be reported immediately to the employee's direct supervisor.

Any employee of Oro Grande School District found to be in violation of this policy will be subject to discipline including, but not limited to Warning, Reprimand, or Dismissal from employment by the district.

## Employee Conduct

## Dress Codes and Other Personal Standards

Employees are expected to wear clothing appropriate for the nature of our business and the type of work performed. Clothing should be neat, clean and tasteful. Avoid clothing that can create a safety hazard. Site managers may issue more specific guidelines.

Because each employee is a representative of Oro Grande School District in the eyes of the public, each employee must report to work properly groomed and wearing appropriate clothing. Employees are expected to dress neatly and in a manner consistent with the nature of the work performed.

The following are examples of acceptable office attire:

- Suits
- Dress shirts
- Blouses
- Sweaters
- Sport coats
- Blazers
- Ties
- Slacks
- Skirts
- Business dresses
- Polo/Collared shirts
- School logo Polos/Blouses

Jeans, T-shirts, tank or halter tops, and casual shoes or sneakers are not permitted for any employees. All clothing should be clean and without rips or holes. Employees who report to work inappropriately dressed may be asked to clock out (classified) and return in acceptable attire.

All employees required to wear uniforms provided by Oro Grande School District must take care of their uniforms and report any wear or damage to their supervisors. Instructions regarding cleaning and maintenance of uniforms will be provided. Supervisors will inform you of additional requirements regarding acceptable attire. Certain employees may be required to wear safety equipment or clothing. Any deviations from these guidelines must be approved by your supervisor.

Oro Grande School District observes a casual dress day on Friday Spirit Days, College

Wear Wednesdays, Designated Spirit Weeks. Some employees who have customer contact may not be permitted to participate in the casual dress day.

Employees who do participate in a casual dress day still are expected to report to work properly groomed. Acceptable casual dress excludes ripped or torn clothing, T-shirts of any kind (with or without a written message), tennis shoes, tank or halter tops, or shorts.

Employees required to wear safety equipment or clothing still must do so on a casual dress day. Department managers may issue more specific guidelines concerning any exceptions to this policy.

This dress code policy will not be enforced in a manner that discriminates against anyone based on a protected class, such as race, sex, gender identity or gender expression, religion, national origin or any other class protected by federal, state or local law. For more information, see the Harassment, Discrimination and Retaliation Prevention policy. Employees who need a reasonable accommodation because of religious beliefs, observances or practices should contact a company representative with day-to-day personnel responsibility and discuss the need for accommodation.

## Conducting Personal Business

Employees are to conduct only Oro Grande School District business while at work. Employees may not conduct personal business or business for another employer during their scheduled working hours.

## Confidential Information

Each employee is responsible for safeguarding the confidential information obtained during employment.

In the course of your work, you may have access to trade secrets or similarly protected proprietary or confidential information regarding Oro Grande School District's business (such as financial data, research and development, marketing, business plans or strategies, suppliers, business partners or customers). You have a responsibility to prevent revealing or divulging any such information unless it is necessary for you to do so in the performance of your duties or as required by law with the express written consent of the superintendent or designee.

Access to, or disclosure of, confidential information should be on a "need-to-know" basis and must be authorized by your supervisor. Any breach of this policy will not be tolerated and legal action may be taken by the Oro Grande School District.

This policy does not prohibit employees from confidentially disclosing trade secret, proprietary or confidential information to federal, state and local government officials, or to an attorney, when done to report or investigate a suspected violation of the law. Employees may also disclose the information in certain court proceedings if specific procedures to protect the information are followed. Nothing in this policy is intended to conflict with 18 U.S.C. sec. 1833(b) or create liability for disclosures of trade secrets that are expressly allowed by 18 U.S.C. sec. 1833(b).



## Conflicts of Interest

All employees must avoid situations involving actual conflict of interest. Personal or romantic involvement with a competitor, supplier, or subordinate employee of Oro Grande school District, which impairs an employee's ability to exercise good judgment on behalf of the Oro Grande School District, can create an actual conflict of interest. Supervisor-subordinate romantic or personal relationships also can lead to supervisory problems, possible claims of sexual harassment, and morale problems.

An employee involved in any of the types of relationships or situations described in this policy should immediately and fully disclose the relevant circumstances to his or her immediate supervisor, or any other appropriate supervisor, for a determination about whether an actual conflict exists. If an actual conflict is determined, Oro Grande school District may take whatever corrective action appears appropriate according to the circumstances. Failure to disclose facts shall constitute grounds for disciplinary action.

Refer to California Department of Justice Conflict of Interest Guide.

The Political Reform Act<sup>1</sup> (the Act) imposes limits on gifts, prohibits honoraria payments, and imposes limits and other restrictions on the receipt of travel payments received by: - Local elected officers and other local officials specified in Government Code Section 87200,2 excluding judges; - Designated employees of local government agencies (i.e., individuals required to file statements of economic interests under a local agency's conflict of interest code); and - Candidates for any of these offices or positions and judicial candidates. (Sections 89502 and 89503.) The Act also imposes limits and other restrictions on personal loans received by certain local officials. This summarizes the major provisions of the Act concerning gifts, honoraria, travel, and loans. It contains highlights of the law, but does not carry the weight of law. For more information, contact the Fair Political Practices Commission at (866) 275-3772 or [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov) or visit our website at [www.fppc.ca.gov](http://www.fppc.ca.gov). Commission advice letters are available on our website. Public officials may also be subject to local restrictions on gifts, honoraria, or travel.

Enforcement Failure to comply with the laws related to gifts, honoraria, loans, and travel payments may, depending on the violation, result in criminal prosecution and substantial fines, or in administrative or civil monetary penalties for as much as \$5,000 per violation or three times the amount illegally obtained. (See Sections 83116, 89520, 89521, 91000, 91004 and 91005.5.)

## Customer/Client Relations

Employees are expected to be polite, courteous, prompt, and attentive to every customer/client. When an employee encounters an uncomfortable situation that he or she does not feel capable of handling, the supervisor or site administrator should be called immediately.

Ours is a service business and all of us must remember that the customer always comes first. Students, parents and families are our main priority and as such must be given the time and professional courtesy required.

Customer/clients are to be treated courteously and given proper attention at all times. Never regard a customer/client's question or concern as an interruption or an annoyance. You must respond to inquiries from customer/client, whether in person or by telephone, promptly and professionally.

Never place a telephone caller on hold for an extended period. Direct incoming calls to the appropriate person and make sure the call is received.

Through your conduct, show your desire to assist the customer/client in obtaining the help he or she needs. If you are unable to help a customer/client, find someone who can.

All correspondence and documents, whether to customer/client or others, must be neatly prepared and error-free. Attention to accuracy and detail in all paperwork demonstrates your commitment to those with whom we do business.

Never argue with a customer/client. If a problem develops or if a customer/client remains dissatisfied, ask your supervisor or the site administrator to intervene.

## Drug and Alcohol Abuse

Oro Grande School District is concerned about the use of alcohol, marijuana, illegal drugs or controlled substances as it affects the workplace. Use of these substances, whether on or off the job can detract from an employee's work performance, efficiency, safety, and health, and seriously impair school district operations. In addition, the use or possession of these substances on the job constitutes a potential danger to the welfare and safety of other employees and exposes the school district to the risks of property loss or damage, or injury to other persons.

The following rules and standards of conduct apply to all employees while on school district property, at work, or working on school district business. The following are strictly prohibited by school district policy:

- Being under the influence of, or impaired by, an illegal or controlled substance, alcohol or marijuana while on the job.
- Using or possessing illegal or controlled substances, alcohol or marijuana while on the job (including the illegal use of prescription drugs and possessing drug paraphernalia)
- Distributing, selling, or purchasing of an illegal or controlled substance, alcohol or marijuana while on the job.

Violation of these rules and standards of conduct will not be tolerated. Oro Grande School District also may bring the matter to the attention of appropriate law enforcement authorities.

In order to enforce this policy, Oro Grande School District reserves the right to conduct searches of school district property or employees and/or their personal property, and to implement other measures necessary to deter and detect abuse of this policy.

An employee's conviction on a charge of illegal sale or possession of any controlled substance while off school district property will not be tolerated because such conduct, even though off duty, reflects adversely on Oro Grande School District. In addition, the school district must keep people who sell or possess controlled substances off school district premises in order to keep the controlled substances themselves off the premises.

Oro Grande School District will encourage and reasonably accommodate employees with alcohol, marijuana or drug dependencies to seek treatment and/or rehabilitation. Employees desiring such assistance should request a treatment or rehabilitation leave.

The school district is not obligated, however, to continue to employ any person whose performance of essential job duties is impaired because of drug, alcohol or marijuana use. Additionally, employees who are given the opportunity to seek treatment and/or rehabilitation, but fail to successfully overcome their dependency or problem, will not automatically be reemployed or be given a second opportunity to seek treatment and/or rehabilitation. This policy on treatment and rehabilitation is not intended to affect the school district's treatment of employees who violate the regulations described previously. Rather, rehabilitation is an option for an employee who acknowledges a chemical dependency and voluntarily seeks treatment to end that dependency.

## Off-Duty Conduct

While Oro Grande School District does not seek to interfere with the off-duty and personal conduct of its employees, certain types of off-duty conduct may interfere with the Oro Grande School District's legitimate business interests.

Off-duty conduct by an employee that directly conflicts with the Oro Grande School District's essential business interests and disrupts business operations will not be tolerated.

## News Media Contacts

Employees may be approached for interviews or comments by the news media. Only employees designated by the Superintendent may comment to news reporters on Oro Grande School District policy or events relevant to Oro Grande School District.

This policy does not limit an employee's right to discuss the terms and conditions of his or her employment, or to try and improve these conditions.

## Other Employment

While employed by Oro Grande School District, employees are expected to devote their energies to their jobs with the Oro Grande School District.

Employment that directly conflicts with the Oro Grande School District's essential business interests and disrupts business operations is strictly prohibited.

Employees who wish to engage in additional employment that may create a real conflict of interest must submit a written request to Oro Grande School District explaining the details of the additional employment. If the additional employment is authorized, Oro Grande School District assumes no responsibility for it. Oro Grande School District shall not provide workers' compensation coverage or any other benefit for injuries occurring from or arising out of additional employment. Authorization to engage in additional employment can be revoked at any time.

## Political Activity

Many employees participate in political activities on their own time. Oro Grande School District time, facilities, property or equipment (including all computers, networks, and electronic equipment) must not be used for an employee's outside political activities. Oro Grande School District will not reimburse any employee for political contributions, and employees should not attempt to receive or facilitate such reimbursements.

Absent a formal statement by Oro Grande School District announcing any political endorsements, employees must not, through their own actions, speech, contributions, or written communication, mislead others to believe that Oro Grande School District officially endorses or opposes any candidates for political office that Oro Grande School District itself has not publicly announced. Oro Grande School District employees are entitled to their own personal position.

The Oro Grande School District will not discriminate against employees based on their lawful political activity engaged in outside of work.



## Prohibited Conduct

Employees are expected to conduct themselves in a manner to further the Oro Grande School District objectives. The following conduct is prohibited and will not be tolerated by Oro Grande School District. This list of prohibited conduct is illustrative only; other types of conduct that threaten security, personal safety, employee welfare and Oro Grande School District operations also may be prohibited and will result in disciplinary action up to and including termination.

- Falsifying employment records, employment information, or other Oro Grande School District records;
- Inefficient or careless performance of job responsibilities or inability to perform job duties satisfactorily;
- Recording the work time of another employee or allowing any other employee to record your work time, or falsifying any work time reporting, either your own or another employee's;
- Theft and deliberate or careless damage or destruction of any Oro Grande School District property, or the property of any employee or customer;
- Removing or borrowing Oro Grande School District property without prior authorization;
- Unauthorized use or misuse of Oro Grande School District equipment, time, materials, or facilities;
- Provoking a fight or fighting during working hours or on Oro Grande School District property;
- Participating in horseplay or practical jokes on Oro Grande School District time or on Oro Grande School District premises;
- Carrying firearms or any other dangerous weapons on Oro Grande School District premises at any time;
- Causing, creating or participating in a disruption of any kind during working hours on Oro Grande School District property;
- Insubordination, including but not limited to failure or refusal to obey the orders or instructions of a supervisor or member of management, or the use of abusive or threatening language toward a supervisor or member of management;
- Using abusive, threatening or intimidating language at any time on Oro Grande School District premises;
- Violation of Oro Grande School District punctuality and attendance policies.  
Absences protected by state or federal law do not count as violations of this policy.  
Protected paid sick time under California law does not count as a violation of this

policy;

- Failing to obtain permission to leave work for any reason during normal working hours, not including meal periods;
- Failing to observe working schedules, including rest and lunch periods;
- Sleeping or malingering on the job;
- Making or accepting personal telephone calls, including cell phone calls, should be limited to breaks and lunch periods, except in cases of emergency or extreme circumstances;
- Working overtime without authorization or refusing to work assigned overtime;
- Violation of dress standards;
- Violating any safety, health, security or Oro Grande School District policy, rule or procedure;
- Violation of the Oro Grande School District drug and alcohol policy;
- Committing a fraudulent act or a breach of trust under any circumstances;
- Violating the Oro Grande School District anti-harassment or equal employment opportunity policies; and
- Failing to promptly report work-related injury or illness.

This statement of prohibited conduct does not alter the Oro Grande School District policy of at-will employment. Either you or Oro Grande School District remain free to terminate the employment relationship at any time, with or without reason or advance notice.

## Punctuality and Attendance

As an employee of Oro Grande School District, you are expected to be punctual and regular in attendance. Any tardiness or absence causes problems for your fellow employees and your supervisor. When you are absent, your assigned work must be performed by others.

Employees are expected to report to work as scheduled, on time, and prepared to start work. Employees also are expected to remain at work for their entire work schedule, except for meal periods or when required to leave on authorized Oro Grande School District business. Late arrivals, early departures or other unanticipated and unapproved absences from scheduled hours are disruptive and must be avoided.

If you are unable to report for work on any particular day, you must provide reasonable advance notice (2.5 hrs) to your supervisor before the time you are scheduled to begin working for that day. You must inform your supervisor of the expected duration of any absence. If you fail to provide reasonable advance notice before your scheduled time to begin work and do not arrive in time for your assigned shift, you will be considered tardy for that day. If the circumstances for your tardiness or absence were unforeseen, inform your supervisor as soon as practicable of the reason for the tardiness or absenteeism.

Any employee that misses 3 or more days of work due to illness must submit a return to work notice from their physician to their site administrator before they will be approved to return to regularly assigned duties.

Excessive absenteeism or tardiness, providing false information or abuse of leave laws will not be tolerated. Generally, if you fail to report for work without any notification to your supervisor and your absence continues for a period of 5 days, Oro Grande School District will consider that you have voluntarily abandoned or quit your employment.

Absences protected by local, state and federal law do not count as a violation of the punctuality and attendance policy. Paid sick time protected under California law does not count as a violation of this policy.

## Prohibited Use of Company Cell Phone While Driving

In the interest of the safety of our employees and other drivers, Oro Grande School District employees are prohibited from using cell phones (including all smart phones) or other wireless communication devices (including laptops) while driving on school district business and/or school district time. This prohibition includes any use of the cell phone or other wireless communications device, such as answering or placing calls, engaging in conversations, texting, Web browsing or using any smart phone application while driving.

If your job requires that you keep your cell phone or other wireless communication device turned on while you are driving, you must use a hands-free, voice-operated device at all times. Under no circumstances should employees place phone calls while operating a motor vehicle while driving on school district business and/or school district time. Violating this policy is a violation of law and a violation of school district rules.

### Employees Under Age 18

A person under the age of 18 years is prohibited from driving a motor vehicle while using a wireless telephone, even if equipped with a hands-free device, or while using a mobile service device. The prohibition would not apply to such a person using a wireless telephone or a mobile service device for emergency purposes. Violating this policy is a violation of law and a violation of school district rules.

Writing, sending, or reading text-based communication - including text messaging, instant messaging, e-mail, web browsing and use of smart phone applications - on a wireless device or cell phone while driving is also prohibited under this policy. Violating this policy is a violation of law and a violation of school district rules.

You must also safely pull off the road before conducting school district business.

Wages

## Advances

It is not the practice of the Oro Grande School District to permit advances against paychecks or against unaccrued vacation.

## Deductions for Exempt Employees [Copy]

Employees paid on a "salary basis" regularly receive a predetermined amount of compensation each pay period. Subject to the exceptions listed below, exempt employees will receive full salary for any workweek in which they perform any work, regardless of the number of days or hours worked. Exempt employees may not be paid for any workweek in which they perform no work, subject to Oro Grande School District benefits programs and policies.

No deductions from salary may be made for time when work is not available, provided the exempt employee is ready, willing, and able to work. Deductions from pay are permissible when an exempt employee:

- Is absent from work for one or more full days for personal reasons other than sickness or disability;
- Is absent for one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy, or practice of providing full compensation for salary lost due to illness and the employee has exhausted their leave under this policy;
- Is absent for jury duty or military duty for a full week and performs no work during the week; or
- Works less than a full week during the initial or final week of employment;

If an employee is only working a portion of their regular work day for personal reasons, the employer may require or the employee may request to take a partial day deduction from any available accrued vacation leave balance. If an employee is only working a portion of their regular work day due to illness, the employee may request to take a partial day deduction from any available accrued sick leave balance.

It is Oro Grande School District policy to comply with these salary basis requirements. Therefore, Oro Grande School District prohibits all Oro Grande School District managers from making any improper deductions from the salaries of exempt employees. The Oro Grande School District wants employees to be aware of this policy and know that the Oro Grande School District does not allow deductions that violate federal or state law.

If you believe that an improper deduction from your salary has been made, you should immediately report this information to your direct supervisor, or to Human Resources.

Reports of improper deductions will be investigated promptly. If it is determined that an

improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.



## Expense Accounts

Oro Grande School District reimburses employees for business expenses. Employees who have mileage reimbursements or who have incurred business expenses must submit required receipts with the Oro Grande School District reimbursement form to Accounts Payable no later than the last week of the month for which they are requested.

If you have any questions about the Oro Grande School District's expense reimbursement policy contact Assistant Superintendent Business Services.

No receipts accepted after 60 days from the date for which they are due. All reimbursable purchases are due on the last day of the month for which they were accrued.

Expenses for mileage must be pre-approved.

## Overtime for Nonexempt Employees

Employees may be required to work overtime as necessary. ALL OVERTIME MUST HAVE WRITTEN PRIOR APPROVAL BY THE EMPLOYEE'S SUPERVISOR. Only actual hours worked in a given workday or workweek can apply in calculating overtime. Oro Grande School District will attempt to distribute overtime evenly and accommodate individual schedules. All overtime work must be previously authorized by a supervisor. An overtime timecard must be verified for accuracy and signed by supervisor and employee prior to submission to the payroll department. Employee will be compensated one month in arrears of accrued overtime. Oro Grande School District provides compensation for all overtime hours worked by non-exempt employees (refer to Fair Labor Standards Act) in accordance with state and federal law as follows:

- All hours worked in excess of eight hours in one workday or 40 hours in one workweek will be treated as overtime. A workday begins at 12:01 a.m. and ends at midnight 24 hours later. Workweeks begin each Sunday at 12:01 a.m.;
- Compensation for hours in excess of 40 for the workweek, or in excess of eight and not more than 12 for the workday, and for the first eight hours on the seventh consecutive day of work in one workweek, shall be paid at a rate one and one-half times the employee's regular rate of pay;
- Compensation for hours in excess of 12 in one workday and in excess of eight on the seventh consecutive workday in a workweek shall be paid at double the regular rate of pay; and
- Exempt employees may have to work hours beyond their normal schedules as work demands require. No overtime compensation will be paid to exempt employees.
- Employees may negotiate compensatory time off with their supervisor equal to but not in excess of time worked over that of their regularly contracted hours.
- Extra time is defined as time worked beyond contracted hours up to 8 hours.
- Holiday pay is defined as time plus one half of the employees contracted rate.
- Refer to California Education codes and definitions of extraneous compensatory time.

## Timekeeping Requirements

All nonexempt employees may be required to use a Time Card to record time worked for payroll purposes. All time worked must be accurately reported on your time record.

Employees must record their own time at the start and at the end of each work period. Employees must clock out for their meal period and record the start and end of the meal period.

Employees are not allowed to work "off the clock." Working off the clock violates Oro Grande School District policy. Any work performed before or after a regularly scheduled shift must be approved in advance by your supervisor. If you perform any off-the-clock work, please report the work to your supervisor.

Employees also must record their time whenever they leave the building for any reason other than Oro Grande School District business.

Employees will be required to certify that their time record is accurate.

Any handwritten marks or changes on the timecard must be initialed by a supervisor. Punching another employee's timecard, allowing another employee to punch your timecard, or altering a timecard is not permissible and is subject to disciplinary action.

Any errors on your timecard should be reported immediately to your supervisor.

Please also refer to Oro Grande School District's Meal and Rest Break Policy.

## Meal and Rest Periods

### Rest Breaks

All nonexempt employees are entitled to uninterrupted rest break periods during their workday. If you are a nonexempt employee, you will be paid for all such break periods, and you will not clock out.

### Number of Rest Breaks

You will be authorized and permitted one (1) 10-minute net rest break for every four (4) hours you work (or major fraction thereof, which is defined as any amount of time over two [2] hours). A rest break need not be authorized for employees whose total daily work time is less than three and one half (3.5) hours.

You will be relieved of all duty during your rest break periods. You are free to come and go as you please and are free to leave the premises. You are expected to return to work promptly at the end of any rest break.

If you work a shift from three and one-half (3.5) to six (6) hours in length you will be entitled to one (1) ten-minute rest break. If you work more than six (6) hours and up to 10 hours, you will be entitled to two (2) ten-minute rest breaks. If you work more than 10 hours and up to 14 hours, you will be entitled to three (3) ten-minute rest breaks.

### Timing of Rest Breaks

You are authorized and permitted to take a rest break in the middle of each four hour work period.

Your rest break will be scheduled by Supervisor

### Meal Period

All nonexempt employees will be provided an uninterrupted unpaid meal period of at least 30 minutes if you work more than five (5) hours in a workday. You must clock out for your meal period. You will be permitted a reasonable opportunity to take this meal period, and you will be relieved of all duty. During your meal period, you are free to

come and go as you please and are free to leave the premises. You are expected to return to work promptly at the end of any meal period.

If your total work period for the day is more than five hours per day but no more than six hours, you may waive the meal period. This cannot be done without the mutual consent of you and your supervisor. You must discuss any such waiver with your supervisor in advance.

The waiver must be in writing.

#### Timing of Meal Period

Your meal period will be provided no later than the end of your fifth hour of work. For example, if you begin work at 8:00 a.m., you must start your meal period by 12:59 p.m. (which is before the end of your fifth hour of work).

Your meal period will be scheduled by Supervisor

#### Second Meal Period

If you work more than 10 hours in a day, you will be provided a second, unpaid meal period of at least 30 minutes. Again, you must clock out for your meal period. You will be permitted a reasonable opportunity to take this meal period, and you will be relieved of all duty. There will be no control over your activities during your meal period. During your meal period, you are free to leave the premises and are free to come and go as you please. You are expected to return to work promptly at the end of any meal period.

Depending on the circumstances, you may be able to waive your second meal period if you took the first meal period and if your total hours worked for the day is no more than twelve hours. This cannot be done without the mutual consent of you and your supervisor and must be in writing. You must discuss any such waiver with your supervisor in advance.

#### Timing of Second Meal Period

This second meal period will be provided no later than the end of your 10th hour of work.

Your second meal period will be scheduled by Supervisor.

#### Recording Meal Periods

You must clock out for any meal period and record the start and end of the meal period.

Employees are not allowed to work "off the clock." All work time must be accurately reported on your time record.

If for any reason you are not provided a meal period in accordance with our policy, or if you are in any way discouraged or impeded from taking your meal period or from taking the full amount of time allotted to you, please immediately notify Assistant Superintendent of Personnel/HR.

Anytime you miss a meal period that was provided to you (or you work any portion of a provided meal period), you will be required to report to Supervisor and document the reason for the missed meal period or time worked.

Please also refer to the Oro Grande School District Timekeeping Policy.

## Travel Time for Exempt Employees

### TRAVEL TIME

Travel time is considered compensable work hours where the employer requires its employees to meet at a designated place, use the employer's transportation to and from the work site and prohibits employees from using their own transportation. (Morillion v. Royal Packing Co. (2000) 22 Compulsory travel time longer than the employee's normal commute is considered compensable time.

Travel time to a job site within reasonable proximity of the employee's regular work site is not compensable. If an employee has no regular job site, travel time to the new job site each day is not compensable. If an employee has a temporary work location change, the employee must be compensated for any additional time required to travel to the new job site in excess of the employee's normal commute time.

The definition of hours worked is found in the Industrial Welfare Commission Orders and means the time during which the employee is subject to the control of an employer, and includes all the time the employee is suffered or permitted to work, whether or not required to do so. State law does not distinguish between hours worked during the "normal" working hours or hours worked outside "normal" working hours, nor does it distinguish between hours worked in connection with an overnight out-of-town assignment.

Under state law, if an employer requires an employee to attend an out-of-town business meeting, training session, or any other event, the employer cannot disclaim an obligation to pay for the employee's time in getting to and from the location of that event. Time spent driving, or as a passenger on an airplane, train, bus, taxi cab or car, or other mode of transportation, in traveling to and from this out-of-town event, and time spent waiting to purchase a ticket, check baggage, or get on board is, under such circumstances, time spent carrying out the employer's directives, and thus, can only be characterized as time in which the employee is subject to the employer's control.

On the other hand, time spent taking a break from travel in order to eat a meal, sleep or engage in purely personal pursuits not connected with traveling or making necessary travel connections (such as, for example, spending an extra day in a city before the start or following the conclusion of a conference to sightsee), is not compensable.

The rate at which the travel must be paid depends upon the nature of the

compensation agreement. If the employee has agreed to pay a fixed hourly rate of pay for any work performed, then travel time must be paid at that regular hourly rate, or if applicable, the required overtime rate. An employer may establish a separate rate of pay for travel before the work is performed for hourly employees, provided the rate does not fall below the statutory minimum wage.

Salary non-exempt employees must be paid at the appropriate overtime rate for any hours worked in excess of 8 in a day or 40 in a week, computed by converting the weekly salary to an hourly rate. (Labor Code Section 515) All necessary expenses incurred in connection with employer-required travel must be reimbursed to the employee. (Labor Code Section 2802) Wages (rev. 1/2011) 3



## Safety and Health

## Employees Who Are Required to Drive

Employees whose job duties require them to drive a Oro Grande School District vehicle or their own vehicles for Oro Grande School District business will be required to show proof of current valid driving licenses and proof of insurability under the Oro Grande School District's policy or current effective insurance coverage before the first day of employment.

Oro Grande School District participates in a system that regularly checks state Department of Motor Vehicles (DMV) records of all employees who are required to drive as part of their job.

If an employee is required to drive as part of his or her job, Oro Grande School District retains the right to transfer to an alternative position, suspend, or terminate an employee whose license is suspended or revoked, or who fails to maintain personal automobile insurance coverage or who is uninsurable under the Oro Grande School District's policy.

Employees who drive their own vehicles on Oro Grande School District business will be reimbursed at the IRS Standard Mileage rate.

Employees must have pre-approval for mileage reimbursement. Employees are encouraged to carpool.

Employees who may be required to transport students (other than bus drivers) must carry the necessary insurance amounts and be approved by the Assistant Superintendent of Personnel/HR.

## Ergonomics

Oro Grande School District is subject to Cal/OSHA ergonomics standards for minimizing workplace repetitive motion injuries. The Oro Grande School District will make necessary adjustments to reduce exposure to ergonomic hazards through modifications to equipment and processes and employee training. The Oro Grande School District encourages safe and proper work procedures and requires all employees to follow safety instructions and guidelines.

Oro Grande School District believes that reduction of ergonomic risk is instrumental in maintaining an environment of personal safety and well-being, and is essential to our business. We intend to provide appropriate resources to create a risk-free environment. If you have any questions about ergonomics, please contact Assistant Superintendent of Personnel-HR or Executive Director of Personnel.

## Health and Safety

All employees are responsible for their own safety, as well as that of others in the workplace. To help us maintain a safe workplace, everyone must be safety-conscious at all times. Report all work-related injuries or illnesses immediately to your supervisor or to the Human Resources department. In compliance with California law, and to promote the concept of a safe workplace, Oro Grande School District maintains an Injury and Illness Prevention Program. The Injury and Illness Prevention Program is available for review by employees and/or employee representatives in the Human Resources office.

Oro Grande School District also maintains a written COVID-19 Prevention Program in compliance with California law, which is available for review by employees and/or authorized representatives.

In compliance with Proposition 65, Oro Grande School District will inform employees of any known exposure to a chemical known to cause cancer or reproductive toxicity.

## Heat Illness

The Oro Grande School District is concerned with employee health and safety. Employees who work outside may be exposed to extreme temperatures or adverse working conditions, particularly in the summer months. All supervisors are trained in the recognition and prevention of heat illness. Employees who work outside are encouraged to frequently drink water. Employees who work outside are also allowed and encouraged to take a cool-down rest in the shade of at least five minutes (in addition to the time needed to access the shade) when needed to protect themselves from overheating. These preventative cool-down rests are paid time.

Please refer to the Oro Grande School District's Injury Illness and Prevention Program or talk to your supervisor for details on how to ensure you are protected from heat illness dangers.

## Inclement Weather/Natural Disasters

In the event of severe weather or a natural disaster that prevents employees from safely traveling to and from work, the following leave policies will apply:

- Inclement weather: Conditions that excuse absence from work include: Icy roads due to freezing, Flooding, Road closure, Fire, Smoke that effects air quality. If weather conditions prevent you from safely traveling to work, you must notify Aesop, Site Administrator, Payroll Specialist by phone, if telephone service is functional, or by any other available means. Employees may be paid for up to 3 Personal Necessity Days/11 sick days day(s) per year when weather conditions prevent them from reaching the worksite. Absences in excess of 3 Personal Necessity Days/11 sick days day(s) will be unpaid or will be deducted from accumulated vacation time.
- In the event of a natural disaster, the office will be closed if the building is damaged or highways leading to the office are damaged. For instructions on reporting to another location, contact the office immediately, if possible.
- Refer to CA ED. Code regarding Emergency Personnel.

## Recreational Activities and Programs

Oro Grande School Districtor its insurer will not be liable for payment of workers' compensation benefits for any injury that arises out of an employee's voluntary participation in any off-duty recreational, social, or athletic activity that is not part of the employee's work-related duties.

## Security

Oro Grande School District has developed guidelines to help maintain a secure workplace. Be aware of persons loitering for no apparent reason in parking areas, walkways, entrances and exits, and service areas. Report any suspicious persons or activities to security personnel. Secure your desk or office at the end of the day. When called away from your work area for an extended length of time, do not leave valuable and/or personal articles in or around your workstation that may be accessible. The security of facilities as well as the welfare of our employees depends upon the alertness and sensitivity of every individual to potential security risks. You should immediately notify your supervisor when any person(s) are acting in a suspicious manner in or around the facilities, or when keys, security passes, or identification badges are missing.

The Oro Grande School District's workplace security program is described in detail in the Oro Grande School District's Illness and Injury Prevention Program (IIPP).



## Workplace Violence

Oro Grande School District has adopted the following workplace violence policy to ensure a safe working environment for all employees.

The Oro Grande School District has zero tolerance for acts of violence and threats of violence. Without exception, acts and threats of violence are not permitted. All such acts and threats, even those made in apparent jest, will be taken seriously, and will lead to discipline up to and including termination.

Possession of non-work related weapons on Oro Grande School District premises and at Oro Grande School District-sponsored events shall constitute a threat of violence.

It is every employee's responsibility to assist in establishing and maintaining a violence-free work environment. Therefore, each employee is expected and encouraged to report any incident which may be threatening to you or your co-workers or any event which you reasonably believe is threatening or violent.

You may report an incident to any supervisor or manager.

A threat includes, but is not limited to, any indication of intent to harm a person or damage Oro Grande School District property. Threats may be direct or indirect, and they may be communicated verbally or nonverbally. The following are examples of threats and acts that shall be considered violent - this list is in no way all-inclusive:

Example	Type of Threat
Saying, "Do you want to see your next birthday?"	Indirect
Writing, "Employees who kill their supervisors have the right idea."	Indirect
Saying, "I'm going to punch your lights out."	Direct
Making a hitting motion or obscene gesture	Nonverbal
Displaying weapons	Extreme
Stalking or otherwise forcing undue attention on someone, whether romantic or hostile	Extreme
Taking actions likely to cause bodily harm or property damage	Acts of violence

## Children in the Workplace

Oro Grande School District Employees may arrange to bring their children to visit their worksite, provided that the visits are infrequent, brief and planned in a fashion that limits disruption to the workplace. While children are in the workplace, they must be directly supervised by the host/parent at all times. If the frequency, length or nature of visits becomes problematic, the employee will be advised of the situation and will be expected to take corrective action.

Employees are not permitted to bring ill children to work. This policy is not to be utilized as a backup childcare arrangement. Employees are provided paid time off benefits which should be used for personal reasons or to care for an ill child.

Failure to comply with this policy will subject the employee to discipline including, but not limited to dismissal.

See Administrative Regulation(s):

See Board Policy:

## Termination

## Involuntary Termination and Progressive Discipline

Violation of Oro Grande School District policies and rules may warrant disciplinary action. The Oro Grande School District has a system of progressive discipline that may include verbal warnings, written warnings, and suspension. The system is not formal, however Oro Grande School District may, in its sole discretion, utilize whatever form of discipline is deemed appropriate under the circumstances, up to, and including, immediate termination of employment. The Oro Grande School District's policy of progressive discipline in no way limits or alters the at-will employment relationship.

(Refer to page 9 regarding At-Will Employees.)

## Job Abandonment

Job abandonment occurs when an employee has no intention of returning to the job and has not notified the employer of his or her intention to quit.

EDUCATION CODE section 44420 FAILURE TO FULFILL CONTRACT AS GROUND FOR SUSPENSION OF DIPLOMAS AND CERTIFICATES (a) If any person employed by a school district in a position requiring certification qualifications refuses, without good cause, to fulfill a valid contract of employment with the district or leave the service of the district without the consent of the superintendent, if any, or the governing board, of the district except in the manner provided for by law, the commission may, after proof of this fact is made to it, take an adverse action on the credential holder but may not suspend the credential for more than one year or revoke the credential. (b) If the credentials issued to the person by the commission have been subject to adverse action pursuant to subdivision (a), the commission may, if the credentials again become subject to suspension under this section, suspend the credentials for not more than two years. (c) The commission shall investigate allegations brought under this section in accordance with Section 44242.5.

## Reductions in Force

Under some circumstances, Oro Grande School District may need to restructure or reduce its workforce. If restructuring our operations or reducing the number of employees becomes necessary, the Oro Grande School District will attempt to provide advance notice, if possible, to help prepare affected individuals. If possible, employees subject to layoff will be informed of the nature of the layoff and the foreseeable duration of the layoff, whether short-term or indefinite.

In determining which employees will be subject to layoff, Oro Grande School District will take into account, among other things, operation and requirements, the skill, productivity, ability, and past performance of those involved, and also, when feasible, the employee's length of service.

Reference California Education Code(s) 45114, 45115, 45117, 45298, 45308.

## Voluntary Resignation

Voluntary resignation results when an employee voluntarily quits his or her employment at Oro Grande School District, or fails to report to work for five consecutively scheduled workdays without notice to, or approval by, his or her supervisor (unless the absence is protected by law). All Oro Grande School District-owned property, including vehicles, keys, uniforms, identification badges, and credit cards, computers, cell phones, as well as any district funded materials including but not limited to testing materials, must be returned immediately upon termination of employment.

## Employee References

All requests for references must be directed to the personnel manager. No other manager, supervisor, or employee is authorized to release references for current or former employees.

By policy, Oro Grande School District discloses only the dates of employment and the title of the last position held of former employees.

## Administrative Regulations and Board Policies



## A.R.s and B.P.s Link

See the following Link:

<https://simbli.eboardsolutions.com/Index.aspx?S=36030627>

## Confirmation of Receipt

## Confirmation of Receipt

I have received my copy of the Oro Grande School District's employee handbook. I understand and agree that it is my responsibility to read and familiarize myself with the policies and procedures contained in the handbook.

I understand and agree that nothing in the employee handbook creates or is intended to create a promise or representation of continued employment and that employment at Oro Grande School District is employment contracted annually. My signature certifies that I understand that the foregoing agreement on annually contracted status is the sole and entire agreement between Oro Grande School District and myself concerning the duration of my employment and the circumstances under which my employment may be terminated. It supersedes all prior agreements, understandings, and representations concerning my employment with Oro Grande School District.

I understand that except for employment annually contracted status, any and all policies or practices can be changed at any time by the Oro Grande School District. Oro Grande School District reserves the right to change my hours, wages, and working conditions at any time. I understand and agree that other than the Superintendent of the Oro Grande School District, no manager, supervisor, or representative of the Oro Grande School District has authority to enter into any agreement, express or implied, for employment for any specific period of time, or to make any agreement for employment other than that which is explicitly stated in my offer of assignment; only the Superintendent or designee has the authority to make any such agreement and then only in writing, signed by the Superintendent.

Employee's Signature \_\_\_\_\_

Employee's Printed Name \_\_\_\_\_

Date \_\_\_\_\_