

BOARD OF COMMISSIONERS MEETING

DATE: January 27, 2025

TIME: 5:30 PM

MAIN LOCATION: 1920 Mariposa Street, Suite 310 Fresno, CA 93721

AGENDA

ITEM	SUBJECT	PRESENTER	ACTION
1.	<p>CALL TO ORDER AND COMMUNITY ACTION PROMISE: Community Action changes people’s lives, embodies the spirit of hope, improves communities, and makes America a better place to live.</p> <p>We care about the entire community, and we are dedicated to helping people help themselves and each other.</p>		
2. Page 5	<p>ROLL CALL A. Board and Committee Meetings Monthly Attendance Record</p>		
3.	<p>PUBLIC COMMENTS <i>(This is an opportunity for the members of the public to address the Board on any matter related to the Commission that is not listed on the Agenda. Limit three minutes per speaker)</i></p>		
4.	<p>ADDITIONS TO THE AGENDA <i>(The Board may add an item to the agenda if, upon a two-thirds vote, the Board finds that there is a need for immediate action on the matter and the need came to the attention of the Board after the posting of this agenda.)</i></p>		
5.	<p>POTENTIAL CONFLICT OF INTEREST <i>(Any Board Member who has a potential conflict of interest may now identify the item and recuse themselves from discussing and voting on the matter.)</i></p>		
6. Page 6	<p>COMMUNITY SECTOR APPLICATION FRESNO COUNTY SUPERINTENDENT OF SCHOOLS A. Supporting Document</p>	Mitchell, Bylaws Chair	Accept
7. Page 11	<p>SEATING OF COMMISSIONERS</p>	Baines, Chair	Approve
8. Page 13	<p>INTRODUCTION OF NEW COMMISSIONERS</p>	Baines, Chair	Information
9. Page 15	<p>ANNUAL ELECTION OF OFFICERS</p>	Baines, Chair	Approve
10. Pages 17 - 294	<p>CONSENT AGENDA - ITEMS 10_1- 10_18 <i>See attached consent agenda.</i> Any Commissioner or member of the public may pull any Consent Item for discussion.</p>	Baines, Chair	Approve
11	<p>TRANSFORMING AND INSPIRING A. Foster Grandparents</p>	Struck, Staff	Information
12. Page 295	<p>AGENCY FINANCIAL AND HEAD START FINANCIAL STATUS REPORT OCTOBER 2024 A. Supporting Document - CSBG Organizational Standard 8.7</p>	Riofrio, Staff	Accept

13. Page 301	PROGRAM FINANCIAL REPORT: 2025 BUDGET A. Supporting Document - 2025 Budget: Food Services, Transit Systems, Local Conservation Corps	Angus, Interim CEO	Information
14. Page 308	2025 SIGNATORY AUTHORIZATION RESOLUTION A. Supporting Document	Baines, Chair	Approve
15. Page 310	ADVANCING FRESNO COUNTY GUARANTEED INCOME PROGRAM UPDATE	Tutunjian, Staff	Information
16. Page 314	INTERIM CHIEF EXECUTIVE OFFICER'S REPORT	Angus, Interim CEO	Information
17.	COMMISSIONERS' COMMENT	Baines, Chair	
18.	EXECUTIVE SESSION		
19.	ADJOURNMENT	Baines, Chair	
NOTE:	NEXT BOARD MEETING: Monday, February 24, 2025, at 5:30 p.m. at the Fresno EOC Board Room		

BOARD OF COMMISSIONERS MEETING

CONSENT AGENDA

(Any Commissioner or member of the public may pull any Consent Item for discussion)

ITEM	SUBJECT	PRESENTER	ACTION
10_1. Page 17	DECEMBER 16, 2024, BOARD MEETING MINUTES	Baines, Chair	Approve
10_2. Page 23	JANUARY 13, 2024, SPECIAL BOARD MEETING MINUTES	Baines, Chair	Approve
10_3. Page 25	2025 COMMITTEE APPOINTMENTS A. Supporting Document	Baines, Chair	Accept
10_4. Page 27	PERSONNEL POLICIES & PROCEDURES MANUAL UPDATE A. Supporting Document	Dibie, Staff	Approve
10_5. Page 253	INFORMATION TECHNOLOGY: CALIFORNIA ADVANCED SERVICES FUND- BROADBAND ADOPTION ACCOUNT A. CSBG Organizational Standard 1.1. 1.2. and 3.4	Matthews, Staff	Ratify
10_6. Page 255	ENERGY SERVICES: WEATHERIZATION SUBCONTRACTOR SELECTION	Conway, Staff	Approve
10_7. Page 257	ENERGY SERVICES: 2022 WEATHERIZATION ASSISTANCE PROGRAM AGREEMENT AMENDMENT 4	Conway, Staff	Approve
10_8. Page 259	ENERGY SERVICES: 2024 LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM AGREEMENT AMENDMENT 3	Arreguin, Staff	Ratify
10_9. Page 260	SANCTUARY AND SUPPORT SERVICES: HUMAN TRAFFICKING VICTIM ASSISTANCE PROGRAM	Gattie-Blanco, Staff	Approve
10_10. Page 262	SANCTUARY AND SUPPORT SERVICES: FLEXIBLE ASSISTANCE FOR SURVIVORS PILOT GRANT PROGRAM	Gattie-Blanco, Staff	Ratify
10_11. Page 264	VALLEY APPRENTICESHIP CONNECTIONS: STRONG WORKFORCE PROGRAM AGREEMENT	Turner, Staff	Ratify
10_12. Page 266	DECEMBER 3, 2024, HEAD START COUNTY WIDE POLICY COUNCIL MINUTES	Balderas, Staff	Accept
10_13. Page 270	HEAD START 0 TO 5: PROGRAM UPDATE REPORT (PUR) – NOVEMBER 2024 A. Supporting Document	Balderas, Staff	Accept
10_14. Page 272	HEAD START 0 TO 5: COUNTY-WIDE POLICY COUNCIL BYLAWS REVISIONS A. Supporting Document	Balderas, Staff	Approve
10_15. Page 282	HEAD START 0 TO 5: LOCALLY DESIGNED PROGRAM OPTION	Balderas, Staff	Approve

10_16 Page 283	HEAD START 0 TO 5: MAPLE VISTA HEAD START PRE-SCHOOL CLOSURE A. Supporting Document	Balderas, Staff	Approve
10_17 Page 287	HEAD START 0 TO 5: 1303 PROJECT APPLICATIONS A. Supporting Document	Balderas, Staff	Approve
10_18 Page 289	PROGRAM PLANNING AND DEVELOPMENT: GRANT TRACKER A. Supporting Document	Medina, Staff	Information

BOARD OF COMMISSIONERS ROLL CALL 2025

#	Commissioner	Term Expiration	Target Area / Appointing / Nominating Org.	1/13 Special Board meeting	1/27	2/ 24	3/17	4/21	5/19	8/18	9/15	10/20	11/17	12/15
1	ARAMBULA, JOAQUIN	Dec 2027	31st Assembly District	X										
2	ARAMBULA-REYNA, KATHLEEN	Dec 2025	Fresno Reel Pride	X										
3	BAINES, OLIVER	Dec 2027	16 th Congressional District	0										
4	BONNER, ALYSIA	Dec.2027	Target Area F	0										
5	BROWN, EARL	Dec 2027	Target Area G	0										
6	GARABEDIAN, CHARLES	Dec 2025	Board of Supervisors	0										
7	JENKINS-MCGILL, JALYSSA	Dec 2027	Head Start CWPC	0										
8	KING BRIAN	Dec 2025	Mayor's Appointment	0										
9	LEON, REY	Dec 2027	Target Area B	X										
10	MARTINEZ, DANIEL	Dec 2025	Target Area D	0										
11	MARTINEZ, LUIS	Dec 2025	14 th Senatorial District	0										
12	MCALISTER, BRUCE	Dec 2025	West Fresno Faith Based Organization	0										
13	MCKENZIE, DEBRA	Dec 2027	Target Area H	X										
14	MITCHELL, LISA	Dec 2025	Target Area E	X										
15	NIKKEL, LAUREN	Dec 2027	Economic Development Corp.	0										
16	PACHECO, ALENA	Dec 2025	Target Area A	0										
17	PIMENTEL, ROBERT	Dec 2025	SCCCD	0										
18	RODGERS, JIMI	Dec 2025	Association of Black Social Workers	0										
19	ROMERO, MANUEL	Dec 2025	Central La Familia Advocacy Services	0										
20	RUIZ, DAVID	Dec 2027	Juvenile Court	0										
21	TAYLOR, STEVEN	Dec 2027	NAACP	0										
22	VACANT	Dec 2027	Target Area C	N/A										
23	VACANT	Dec 2027	Community Sector Representatives	N/A										
24	VACANT	Dec 2027	Board of Supervisors	N/A										
	Present = 0													
	Absent = X													
	Teleconference = T													

It is the Commissioner's responsibility to check the matrix, verify accuracy and inform the Secretary or designee if any changes are needed.

BOARD OF COMMISSIONERS MEETING

Date: January 27, 2025	Program: N/A
Agenda Item #: 6	Director: N/A
Subject: Community Sector Application – Fresno County Superintendent of School	Officer: Brian Angus

Recommended Action

Staff recommends review and acceptance of the Community Sector applicant, Diane Lira, from Fresno County Superintendent of Schools.

Background

On December 16, 2024, Fresno EOC received the Community Sector application from Fresno County Superintendent of Schools for Diane Lira to serve as a Board member for a three (3) year term.

On an annual basis, the Commission holds a Board Election for the expiring terms.

Per the agency Bylaws: “Community Sector Commissioners may consist of representatives of business, industry, labor, religious, law enforcement, youth, education, social services, and/or multicultural organizations that can contribute or mobilize economic and human resources, ethnic and racial diversity and balance to the Commission as a whole, and is supportive of the mission and objectives of the agency.”

Fiscal Impact

Action on this agenda item will have no fiscal impact.

Conclusion

If accepted by the Board, the applicant will serve through December 31, 2027. If not accepted by the Board, the Board will have a vacant seat and be out of compliance.

Elionora Vivanco

From: Fresno Economic Opportunities Commission Forms <forms-noreply@fresnoeoc.org>
Sent: Monday, December 16, 2024 10:35 PM
To: Karina Perez; Elionora Vivanco; Elections
Subject: New submission: Board of Commissioners Application Form

**Fresno EOC IT Notice:
External Message. Think before you click!**

A user has submitted the Fresno Economic Commission Form

Please review the submission below.

— APPLICANT INFORMATION —

Name

Dr. Diane Lara Lira

Home Address

[Map It](#)

Primary Phone

Alternative Phone

Email

Date of Birth

Do you qualify as a low-income individual under the Federal Poverty Guidelines?

No

— EMPLOYMENT —

Employer

Fresno County Superintendent of Schools

Job Title

Deputy Superintendent of Instruction

Employer Address

[Map It](#)

— COMMUNITY SECTOR REPRESENTATIVE —

Organization Representing Name

Fresno County Superintendent of Schools

of years as a Fresno County Resident

35

Organization Address

[Map It](#)

How will the organization and you be an asset to Fresno EOC?

The Fresno County Superintendent of Schools (FCSS) and I, Dr. Diane Lira, bring a wealth of expertise, community engagement, and strategic vision to support the Fresno Economic Opportunities Commission (EOC) in its mission to combat poverty. FCSS's strategic plan emphasizes equitable access to education, community partnerships, and addressing disparities in achievement—aligning perfectly with Fresno EOC's goals of fostering self-sufficiency and combating poverty through diverse programs. Personally, my extensive experience in education, leadership roles at district and county levels, and dedication to equity and collaboration equip me to be a bridge between educational institutions and community action initiatives. Together, FCSS and I can help strengthen EOC's initiatives by promoting educational opportunities as pathways out of poverty and fostering community collaboration.

List the reasons your organization is interested in Fresno EOC Board of Commissioners

The reasons Fresno County Superintendent of Schools is interested in serving on the EOC Board of Commissioners are as follows:

1. Shared Vision and Mission: FCSS and Fresno EOC both prioritize equity and empowerment, aiming to address systemic barriers and enhance opportunities for underserved populations.
2. Community Impact: By participating on the Board, FCSS can extend its expertise in education to support Fresno EOC programs, ensuring alignment between educational opportunities and community needs.
3. Advocacy for Children and Families: FCSS's commitment to serving students and families aligns with Fresno EOC's focus on holistic community well-being, making this partnership mutually beneficial.
4. Collaborative Leadership: Engaging with the Board allows FCSS to contribute strategic insights, innovative ideas, and data-driven solutions to combat poverty effectively.

ADDITIONAL QUALIFICATIONS

Briefly explain why are you interested in serving on the EOC Board of Commissioners?

Serving on the Fresno EOC Board of Commissioners represents an opportunity to give back to the community that shaped my values and career. Growing up in a migrant family and overcoming socioeconomic barriers has instilled in me a passion for creating equitable opportunities for all. By joining the Board, I hope to contribute to transformative initiatives that empower individuals, promote self-sufficiency, and address systemic inequities in Fresno County.

Briefly explain your qualifications or areas of demonstrated expertise for the EOC Board.

My qualifications include:

Leadership in education as a teacher, principal, district director, and Deputy Superintendent of Instruction.

Expertise in strategic planning, equity-focused initiatives, and program management, all aimed at fostering community and student success.

Proven track record in community engagement, including establishing parent groups and fostering partnerships.

Deep understanding of poverty-related challenges, informed by personal and professional experiences, enabling me to offer authentic, impactful contributions.

What experience or special knowledge can you bring to the Fresno EOC Board of Commissioners?

I bring a unique blend of personal experience and professional expertise to the Fresno EOC Board:

Personal Insight: As a first-generation college graduate and child of migrant farm workers, I have a lived understanding of poverty and systemic barriers.

Educational Leadership: My roles have encompassed managing budgets, leading teams, and designing programs that address the academic and social needs of diverse populations.

Community Advocacy: I have a history of fostering partnerships with families, educators, and community organizations to drive systemic change.

Strategic Vision: My work at FCSS focuses on data-driven approaches to equity and access, which aligns with Fresno EOC's goals.

A reflection to share my expertise and insights:

In the summer of 2010, while serving as an elementary school teacher during the academic year, I took on an additional assignment teaching migrant student in grades 7-12. This position required me to visit students' homes in a small rural school district, delivering core curriculum lessons in whatever space they had available.

One particularly memorable day, I arrived at a dirt road leading to a modest home. A 14-year-old boy, Jose, emerged from the vineyards, covered in dirt from head to toe. He had been working alongside his parents to save money for school supplies—clothes, shoes, a calculator, and even the occasional treat, like snacks from the school cafeteria. He typically relied on the free, prepackaged lunches provided at school, but this small goal was a source of pride and excitement for him.

Jose welcomed me into their single-wide trailer, where the family had fashioned a dining and learning space using wooden pallets and a board as a makeshift table. The summer heat was intense, and he used a water spray bottle with a fan to cool the air. As we settled in, I greeted him with a choice of a handshake, high-five, or hug. He opted for a light hug, a gesture that spoke volumes about the trust we had built. He offered me water and began peeling an orange to share—a simple act of generosity that highlighted his kind spirit.

While we were preparing to start the lesson, I noticed another teenager working in the vineyards. Curious, I asked who it was. Jose explained it was his uncle, who had recently arrived from Mexico. When I inquired further, he revealed that his uncle, though his age, had not attended school beyond kindergarten. I encouraged Jose to invite him to join us, reassuring him that my experience teaching elementary grades had prepared me for this opportunity. I playfully promised I'd teach a lesson his uncle wouldn't forget.

Reluctantly, Jose called his uncle over, and soon we were gathered around the table, turning that humble space into a vibrant learning environment. I had prepared in advance, knowing Jose's dream was to read the Harry Potter series. I brought him his very first hardback book. He picked it up, inhaling its scent with a mix of wonder and joy. For Jose, this was more than just a book—it was the fulfillment of a long-held aspiration. Meanwhile, I worked with his uncle on foundational skills, leaving behind a backpack filled with materials, assignments, and a plan for our future lessons.

Many who hear this story might feel a sense of sadness, but that wasn't the prevailing emotion in Jose's home. His parents described their family as "rich"—rich in faith, with secure access to food, stable housing, employment opportunities, community safety, health, wellness, and ambitious educational goals. This experience taught me a profound lesson: true wealth lies in stability, community collaboration, and the belief in the power of education to transform lives.

As a young educator, I realized the importance of working together to ensure that students like Jose feel supported and empowered to pursue their dreams. Communities that prioritize education and collective effort create opportunities that enrich lives far beyond material means. This insight drives my commitment to the Fresno EOC. I firmly believe that through its programs, we can actively fight poverty and improve our community's quality of life, making a tangible difference for the "Joses" of the world.

Reference 1

Name

Dr. Michele Cantwell-Cophe

Organization

Fresno County Superintendent of Schools

Position

Superintendent

Phone

Reference 2

Name

Dr. Matilda Soria

Organization

Deputy Superintendent, Fresno County Superintendent of Schools

Position

Senior Director, Early Care & Education

Phone

DISCLAIMER AND SIGNATURE

I agree to the privacy policy.

Signature



BOARD OF COMMISSIONERS MEETING

Date: January 27, 2025	Program: N/A
Agenda Item #: 7	Director: N/A
Subject: Seating of Commissioners	Officer: Brian Angus

Recommended Action

Staff recommends approval of the following Target Area Election results, Community Sector nominations and Public Official Appointments, commencing on January 1, 2025, for a three-year term.

Background

Public Official Appointments

David Ruiz
Oliver Baines
Joaquin Arambula
*Pending

Appointing Body

Juvenile Court
16th Congressional District
31st Assembly District
Board of Supervisors

* Agency is pending an appointment letter from the Board of Supervisors.

Community Sector

Steven Taylor
Lauren Nikkel
Jalyssa Jenkins-McGill
*Pending

National Association for the Advancement of Colored People
Fresno County Economic Development Corporation
Head Start County-Wide Policy Council
Fresno County Superintendent of Schools

* Community Sector appointee pending Fresno EOC Board acceptance.

Target Sector

Rey Leon	Target Area B
Alysia Bonner	Target Area F
Earl Brown	Target Area G
Debra D. McKenzie	Target Area D

* Special Election for Target Area C.



Fiscal Impact

Action on this agenda item will have no fiscal impact.

Conclusion

If approved by the Board, the Commissioner's term will be effective January 1, 2025, through December 31, 2027. If not approved, the Board will have several vacancies and be out of compliance.

BOARD OF COMMISSIONERS MEETING

Date: January 27, 2025	Program: N/A
Agenda Item #: 8	Director: N/A
Subject: Introduction of New Commissioners	Officer: Brian Angus

Recommended Action

The following Commissioners are new to the Fresno EOC Board and will have an opportunity to formally introduce themselves and share their background and goals for serving on the Board.

Background

Jalyssa Jenkins-McGill: Community Sector

I am interested in being an EOC Commissioner because I love children and want to help implement change and growth wherever I can. I believe being on the board was a calling for me. As a mother of 9 children, I have seen deficits when it came to social emotional goals and teachings when my children were young. I did not know where to go. Once, I have children in the Head Start/Early Head Start program I felt empowered. My children felt empowered. I want to be able to bring those feelings to other parents and children. The EOC program has so many resources that I want to bring to all of our centers as well as to our families who participate in our programs. I want to be the extension of the EOC program. Being a commissioner means I get to voice both positive and areas of improvement for everyone. From our center directors, parents, and of course of children. Being an EOC commissioner gives me the front row seat to help navigate and steer our parents in the right directions. Like Whitney Houston said, "the children are the future." In knowing that, I want to help bridge the gaps between our parents and children when it comes to the knowledge of our program and what we can assist with.

Debra D. McKenzie: Target Area

I am passionate about empowering communities and addressing systemic barriers to economic opportunities. Serving on the Fresno EOC Board of Commissioners would allow me to contribute directly to initiatives that make a tangible difference in the lives of low-income residents. My background in managing programs that support vulnerable populations, coupled with my commitment to social equity, aligns closely with Fresno EOC's mission. I am eager to bring my experience in public service and non-profit management to the Board to help shape policies and programs that promote economic self-sufficiency and community well-being.

Dr. Diane Lira: Community Sector (Pending Board Approval)

Serving on the Fresno EOC Board of Commissioners represents an opportunity to give back to the community that shaped my values and career. Growing up in a migrant family and overcoming socioeconomic barriers has instilled in me a passion for creating equitable opportunities for all. By joining the Board, I hope to contribute to transformative initiatives that empower individuals, promote self-sufficiency, and address systemic inequities in Fresno County.

BOARD OF COMMISSIONERS MEETING

Date: January 27, 2025	Program: N/A
Agenda Item #: 9	Director: N/A
Subject: Annual Election of Officers	Legal Counsel: Kenneth Price

Recommended Action

The recommendation is to nominate and approve Commission Officer positions of Chair, Vice Chair, and Treasurer.

Background

Per the agency’s Bylaws, the Officers of the Commission shall consist of a Chair, Vice Chair, Secretary, and Treasurer, all of whom shall be elected from the members of the Commission with the exception that the Chief Executive Officer shall be appointed to serve as Secretary.

Officers shall be elected to serve until the next annual meeting of the Commission or until their successors shall have been elected and qualify. No Commissioner shall hold more than one office at the same time.

The agency’s current Bylaws state the duties and powers of the Officers are as follows:

Chair shall: (1) be the chief volunteer officer of the Corporation, subject to the direction and control of the Board; (2) preside at meetings of the Board of Commissioners; (3) appoint the members of standing and of such special Committees with the approval of the Commission; (4) be ex-officio a member of all Committees; and (5) perform such other duties and have such other powers as the Board of Commissioners may determine from time to time. The Chair may vote on any matter before the Commission. The Chair shall be counted to determine the existence of a quorum.

Vice Chair. In the absence of the Chair or the Chair’s inability or refusal to act, the Vice Chair shall perform the duties of the Chair and shall perform such other duties as the Commission may, from time to time, designate.

Treasurer shall: (1) oversee the Corporation’s financial management practices, subject to the direction and control of the Board; (2) ensure that the Commissioners understand the financial situation of the Corporation (including ensuring that financial statements for each month are available for each meeting of the Board of Commissioners and are kept on file at the Corporation’s principal office); (3) serve as Chair of the Finance Committee; (4) serve as an Authorized Check Signatory when the Chair is unavailable; and (5) perform such other duties and have such other powers as the Board of Commissioners may determine from time to time.


Fiscal Impact

Action on this agenda item will have no fiscal impact.

Conclusion

Once elected and approved by the Board, Officers will serve for two years.

BOARD OF COMMISSIONERS MEETING MINUTES

DATE: December 16, 2024

TIME: 5:30 PM

LOCATION: Nielsen Conference Center 3110 W Nielsen Ave, Fresno, CA 93706

1. **CALL TO ORDER AND COMMUNITY ACTION PROMISE:**

Oliver Baines, Board Chair, called the meeting to order at 5:53 p.m.

2. **ROLL CALL**

Present: Joaquin Arambula, Kathleen Arambula-Reyna, Oliver Baines, Alysia Bonner, Earl Brown, Charles Garabedian, Brian King, Rey Leon, Daniel Martinez, Luis Martinez, Bruce McAlister, Barigye McCoy, Lisa Mitchell, Lauren Nikkel, Alena Pacheco, Robert Pimentel, Jimi Rodgers, Manuel Romero, David Ruiz, and Steven Taylor.

Absent: Zina Brown-Jenkins, Linda Hayes, Lupe Jaime-Mileham, and Daniel Parra.

3. **NOVEMBER 18, 2024, BOARD MEETING MINUTES**

Public Comment: None heard.

Motion by: Bonner **Second by:** Pimentel

Ayes: All in favor.

Nayes: None heard.

4. **ADDITIONS TO THE AGENDA**

Public Comment: None heard.

No action required.

5. **POTENTIAL CONFLICT OF INTEREST**

None heard.

6. **PUBLIC COMMENTS**

Misty Gattie-Blanco, Sanctuary Director/Interim Head Start Assistant Director. Shared the upcoming Head Start 0 to 5 Job Fair taking place on January 18, 2025, from 9:00 a.m. – 1:00 p.m. at the Franklin Head Start and the Head Start Director open position flyer. Gattie-Blanco shared the need of volunteers for the upcoming 2025 Fresno Madera Homeless Point-In-Time count taking place on January 28 – 30, 2025. The flyer had additional details on how to register and attend mandatory training.

Gattie-Blanco shared the upcoming annual Pledge 2 Stop Trafficking Fund (P2ST) that is taking place on January 21, 2025, from 7:00 a.m. to 5:30 p.m. in Fresno, Clovis, Madera, and Kerman, and is asking for volunteers to help raise funds.

Public Comment: None heard.

No action required.

7. **COMMISSIONER APPRECIATION**

Chair Baines thanked and presented previous Commissioner, Amy Arambula, with a plaque for her years of service as a Fresno EOC Board member. Amy Arambula shared a heartwarming message of her commitment to serve to end poverty.

Public Comment: None heard.

No action required.

8. **CONSENT AGENDA – ITEMS 8_1 – 8_15**

Public Comment: None heard.

Motion by: Pimentel **Second by:** Bonner

Ayes: All in favor.

Nayes: None heard

APPROVAL OF PULLED CONSENT AGENDA ITEMS

8_1: OCTOBER 21, 2024, BYLAWS COMMITTEE MEETING MINUTES

Commissioner Pacheco inquired about the November 18, 2024, Bylaws Committee Meeting minutes. Ken Price, Legal Counsel, stated the practice is to provide the minutes after Bylaws Committee members have reviewed and approved for full board consideration.

Public Comment: None heard.

Motion by: Pacheco **Second by:** Bonner

Ayes: All in favor.

Nayes: None heard

8_3: COMMUNITY SECTOR APPLICATIONS

Commissioner Pacheco stated no additional questions and made the motion to approve.

Public Comment: None heard.

Motion by: Pacheco **Second by:** Bonner
Ayes: All in favor.
Nayes: None heard

8_6: NOVEMBER 4, 2024, EXECUTIVE COMMITTEE MEETING MINUTES

Commissioner Pacheco stated no additional questions and made the motion to approve.

Public Comment: None heard.

Motion by: Pacheco **Second by:** Bonner
Ayes: All in favor.
Nayes: None heard

8_7: PERSONNEL POLICIES & PROCEDURES MANUAL UPDATE

Commissioner Arambula-Reyna stated concerns about the language used in the Personnel Policies & Procedures Manual and recommended this item be tabled for further discussion.

Public Comment: None heard.

9. AGENCY FINANCIAL AND HEAD START FINANCIAL STATUS REPORT SEPTEMBER 2024

Hemanta Mungur, Chief Financial Officer, provided an overview report of the Agency Financial statements and the Head Start Financial Status Report as of Year-to-Date for September 30, 2024, with a revenue of \$125,430,421 and a total of \$128,684,057 expenditures which is 71% of the budget. The total net difference between revenues and expenditures is approximately (\$3,253,637) deficit.

Steve Warnes, Finance Officer, provided a detailed overview of the Administration deficit of \$2.1M by the end of 2024. Warnes provided the quarterly snapshot of the causes of the deficit through September 2024, the financial forecast, and future expectations for 2025.

Jon Escobar, Food Services Director, provided a detailed overview of the Food Services deficit of \$1.7 million by the end of 2024. Escobar provided a quarterly breakdown cause of the deficit through September 2024.

Chair Baines recommended when preparing the budget for next year, the solution is not to anticipate a shortfall, the solution is to align personnel costs with the reality of the revenue. Escobar stated that is the plan starting in January 2025.

Commissioner Arambula inquired for clarification to ensure the current presentation received today does not replace the motion and need for a forensic audit as the information presented is unaudited and for internal uses only. Chair Baines stated that today's financial presentations are routine monthly staff reports.

Commissioner Arambula asked Mungur for further clarification and explanation on the amount differences for the total fund balance from 2023 to 2024. The report indicates a total fund balance of \$12,798, 244 in 2023 and a total fund balance of \$7,000,641 for 2024; a difference of \$5,797,604. Mungur stated he would need to look into it further. Commissioner Arambula emphasized the need for the Forensic Audit sooner rather than later to ensure the Commission has a full understanding of Fresno EOC financials. Chair Baines agreed.

Thomas Dulin, Transit Systems Director, provided a detailed overview of the Transit Systems deficit of \$450,000 by the end of 2024. Dulin provided a quarterly breakdown cause of the deficit through September 2024.

Commissioner Bonner and Pacheco recommended a line item detailed budget, for each program to be presented on an ongoing basis. Staff reported the program budget details will be presented at Finance Committee meetings.

Shawn Riggins, Local Conservation Corps Director, provided a detailed overview of the Local Conservation Corps deficit of \$510,000 by the end of 2024. Riggins provided the contractual compliance issues, financial forecast, and operational/cost savings plan.

Commissioner Arambula-Reyna inquired about the reallocation of CSGB funding. Riggins stated he was notified last year in November that the program was no longer going to receive CSBG funding.

Commissioner Arambula, inquired for clarification for a better understanding of the process of notifying the Board or the Chief Executive Officer about the contractual compliance issues. Chair Baines stated the contractual compliance issues were not brought to the Board, but these are some of the issues that will be in discussion.

Upon further discussion, the Commission has recommended every program to have a flow chart that shows the organization's funding sources when presenting program budgets.

This item meets Community Services Block Grant (CSBG) Organization Standards 8.7.

Public Comment: None heard.

Motion by: Leon **Second by:** Pimentel

Ayes: All in favor.

Nays: None heard

10. **BYLAWS REVISIONS**

Ken Price, Legal Counsel, provided an overview of the redline Bylaws revision with the following recommended changes by the Bylaws Committee.

Article IV, Section 2: Head Start Board Requirements: Head Start Act requires one Commissioner to serve on Head Start Policy Council. This Commissioner must reflect the community to be

served – parent or formerly enrolled in Head Start. The Bylaws Committee wanted it identified that this person is a Community Sector representative.

Article VIII, Section 5: Quorum: Eliminating the language stating that a quorum of Commissioners must be physically present to conduct a meeting. While the Bylaws Committee strongly prefers having a quorum of Commissioners present in person, there may be instances where that is not possible. Eliminating this requirement gives the Commission flexibility to still have meetings even without an in-person quorum.

Article VIII, Section 8: Electronic Participation: The number of meetings a Commissioner may attend via video/audio electronic means be increased from two to five meetings annually. This change will make it easier for a commissioner to attend meetings given their professional or personal circumstances.

Article X, Section 1: Executive Committee: The Executive Committee would be reduced to seven members comprising of the Chair, Vice Chair, Treasurer, and the Chair of each standing committee. Additionally, the Executive Committee will receive no less than quarterly updates from the agency's independent internal auditor on Head Start operations and compliance.

ARTICLE X – Restoration: of the Finance Committee, Audit Committee, Program, Planning & Evaluation, and Human Resources/Pension Committee.

Dr. Robert Reyes, a member of the public stated his concerns regarding the Bylaw's revisions regarding the Commissioners electronic participation and recommended the Commission to participate in person due to agencies \$3.2M deficit.

This item meets Community Services Block Grant (CSBG) Organization Standards 5.3.

Public Comment: None heard.

Motion by: Bonner **Second by:** Pimentel

Ayes: All in favor.

Nays: None heard

11. **ACTING CHIEF EXECUTIVE OFFICER'S REPORT**

Michelle L Tutunjian, Acting Chief Executive Officer, provided an overview of the Acting CEO report.

Commissioner Leon inquired about a status update of the Advancing Fresno County Guaranteed Income Program. Tutunjian stated an update will be provided at the January 27, 2025, Board meeting.

Commissioner Arambula-Reyna inquired if Tutunjian, as the Acting Chief Executive Officer, has had the opportunity to connect with Program Directors to discuss budgeting. Tutunjian stated the budget is currently under review.

Public Comment: None heard.

No action required.

12. COMMISSIONERS' COMMENT

Commissioner Nikkel shared with the Board and members of the public that the County of Fresno and Fresno County Economic Development Corporation (EDC), is developing a Comprehensive Economic Development Strategy (CEDS) 2025-2030 to chart the course for the county's economic growth and resilience. This strategy will set the vision for long-term prosperity, offering a roadmap for business expansion, workforce development, infrastructure investments, and more. The final plan will meet the requirements of the U.S. Economic Development Administration (EDA), ensuring Fresno County remains competitive for federal funding opportunities. If anyone is interested in providing input, contact her directly.

Public Comment: None heard.

No action required.

13. EXECUTIVE SESSION

Ken Price, Legal Counsel, stated there was no action to report out of Executive Session.

14. ADJOURNMENT

The meeting adjourned at 9:30 p.m.

SPECIAL BOARD OF COMMISSIONERS MEETING MINUTES

DATE: January 13, 2025

TIME: 5:30 PM

LOCATION: Zoom

1. **CALL TO ORDER AND COMMUNITY ACTION PROMISE:**

Oliver Baines, Board Chair, called the meeting to order at 5:33 p.m.

2. **ROLL CALL**

Present: Oliver Baines, Alysia Bonner, Earl Brown, Charles Garabedian, Jalyssa Jenkins-McGill, Brian King, Daniel Martinez, Luis Martinez, Bruce McAlister, Lauren Nikkel, Alena Pacheco, Robert Pimentel, Jimi Rodgers, Manuel Romero, David Ruiz and Steven Taylor.

Absent: Joaquin Arambula, Kathleen Arambula-Reyna, Rey Leon, Debra McKenzie, and Lisa Mitchell.

3. **ADDITIONS TO THE AGENDA**

Public Comment: None heard.

No action required.

4. **PUBLIC COMMENTS**

Public Comment: None heard.

No action required.

5. **POTENTIAL CONFLICT OF INTEREST**

None heard.

6. **2025 CSBG CONTRACT**

Andy Arredondo, Evaluation Director, provided an overview of the 2025 CSBG Contract with the State of California of Community Services and Development, in the amount of \$2,039,380 for a term of January 1, 2025, through April 30, 2026. Arredondo included the following CSBG budget highlights. Highlights include: 1. Focus on holistic and effective programs through CAP60 by investing in staff, software and licensing to help agency efforts in data collection and understanding community service needs; 2. The agencies commitment to data and community driven decision making by completing our community action plan based on our community

needs assessment; 3. Board trainings and conferences to advocate for maximum board involvement in the agencies community action; 4. Affiliated agency memberships with state and national community action networks; and 5.Support for programs in strategic focus areas identified by community members in the needs assessment including Food Insecurity, Employment Opportunities, Community Safety, and Educational Achievement.

Public Comment: None heard.

Motion by: Garabedian **Second by:** Bonner

Ayes: All in favor.

Nays: None heard

7. COMMISSIONERS' COMMENT

Brian Angus, Interim Chief Executive Officer, briefly introduced himself and thanked the Commission for the confidence in bringing him back on board.

Commissioners Garabedian, Pacheco, and McAlister welcomed and thanked Angus for returning and supporting EOC during this transition.

Public Comment: None heard.

No action required.

8. ADJOURNMENT

The meeting adjourned at 5:40 p.m.

BOARD OF COMMISSIONERS MEETING

Date: January 27, 2025	Program: N/A
Consent Agenda Item #: 10_3	Director: N/A
Subject: 2025 Committee Appointments	Officer: Brian Angus

Recommended Action

Staff recommends review and acceptance of the 2025 Committee Appointments.

Background

Per the agency’s Bylaws and Policies and Procedures,

ARTICLE X. COMMITTEES: *“Committee members and Chairs shall be appointed by the Board Chair and be approved by the Board and shall serve at the pleasure of the Board.”*

Committee members will serve a one-year term. Should a committee member leave the board in December after the end of his/her term, the remaining members of the committee remain empowered to carry out the work of the committee.

Fiscal Impact

Action on this agenda item will have no fiscal impact.

Conclusion

If accepted by the Board, these Committee Appointments will be carried out for the 2025 calendar year. If not approved, the agency will not be in compliance with the agency Bylaws.

2025 COMMITTEE APPOINTMENTS

EXECUTIVE COMMITTEE	Chair Vice Chair Charles Garabedian Barigye McCoy	Daniel Martinez Alena Pacheco Lisa Mitchell
FINANCE COMMITTEE	Charles Garabedian (Chair) Debra McKenzie Manuel Romero	Alysia Bonner Rey Leon
AUDIT COMMITTEE	Daniel Martinez (Chair) Joaquin Arambula Kathleen Arambula-Reyna	Manuel Romero Target Area C Representative
PROGRAM, PLANNING & EVALUATION COMMITTEE	Alena Pacheco (Chair) Brian King Diane Lira	Robert Pimentel Jalyssa Jenkins-McGill
HUMAN RESOURCES/PENSION COMMITTEE	Barigye McCoy (Chair) Jalyssa Jenkins-McGill Jimi Rodgers	Alysia Bonner Debra McKenzie
BYLAWS COMMITTEE	Lisa Mitchell (Chair) David Ruiz Bruce McAlister	Luis Martinez Earl Brown
FOSTER GRANDPARENTS ADVISORY BOARD	Alena Pacheco Diane Lira Target Area C Representative	
HEAD START COUNTY-WIDE POLICY	Jalyssa Jenkins-McGill Diane Lira Jimi Rodgers	Steven Taylor Earl Brown
LCC ADVISORY BOARD	Brian King Lauren Nikkel Lisa Mitchell	Alysia Bonner Luis Martinez
SANCTUARY ADVISORY BOARD	Kathleen Arambula-Reyna	
SOUL GOVERNING COUNCIL	Debra McKenzie Bruce McAlister Jimi Rodgers	

Updated: 1.15.25

BOARD OF COMMISSIONERS MEETING

Date: January 27, 2025	Program: Human Resources
Consent Agenda Item #: 10_4	Director: N/A
Subject: Personnel Policies and Procedures Manual	Officer: Nelson Dibie

Recommended Action

Committee recommends approval of the proposed revisions to the agency’s Personnel Policies and Procedures Manual. The proposed revisions include implemented recommendations from Commissioner feedback from the December 16, 2024, Board meeting.

Background

The Personnel Policies and Procedures manual is periodically updated and/or new policies are created to comply with all new state or federal laws, rules and regulations and other recommended changes. The proposed manual has some policies with significant revisions since the last approved policy manual in December 2023.

Standard changes include revising policies to meet legislative requirements. Other changes address performance, conduct, workplace atmosphere and create additional structure in which management and the Human Resources Department can effect changes to the workplace.

The proposed policy manual has been revised by the Human Resources Department, employment law and labor law attorney. Additionally, agency Directors and Officers were provided the opportunity to provide feedback.

A summary of proposed changes is included at the end of this staff report.

Fiscal Impact

Action on this agenda item will have no fiscal impact.

Conclusion

If approved by the Board, the Personnel Policies and Procedures Manual will be updated accordingly. If not approved, Personnel Policies and Procedures Manual will remain unchanged and will not comply with recent state or federal laws, rules and regulations or other recommended changes.

Summary of Changes:

<u>Policy Number</u>	<u>Title</u>	<u>Changes</u>
1010	Employment At-Will	No significant changes
1020	Equal Employment Opportunity Policy	Updated list of protected categories per employment law attorney. This commitment applies to all persons involved with Fresno EOC operations and prohibits unlawful discrimination by any employee of Fresno EOC, including supervisors, managers, coworkers, and third parties
1030	Diversity Policy	No significant changes
1040	Discrimination/Harassment /Retaliation Complaint and Prevention Policy	Updated list of protected categories per employment law attorney. Added Guidelines for Hugging
1050	Management Flow, and Open Communication	No significant changes
1060	Personnel Records	Updated language to more strict oversight of management access to personnel files and legal compliance.
1070	Employment Classifications	Clarified language regarding the agency's discretion to rehire and reinstate employees.
1080	Determination of Exempt and Non-Exempt Status	Clarified language for ease of understanding.
1090	Recruitment, Selection and Employment	Updated list of protected categories per employment law attorney. Clarified policy to align with recruitment process changes from 2023 Policy Manual approval.
1100	Internship and Volunteer Programs	Updated list of protected categories per employment law attorney.
1110	Outside Employment	Policy significantly rewritten to ensure that employees disclose employment outside of Fresno EOC and that the employment is not in conflict of interest with Fresno EOC.
1120	Transfers and Promotions	No significant changes
1130	New Employee Orientation	No significant changes
1140	Introductory Period	The introductory period changed from 6 months to 3 months.
1150	Hours of Work, Rest and Meal Breaks	Added tables to provide clarity on when meal periods and rest breaks are required to be provided or taken.

1160	Punctuality and Attendance	Shortened excused absence timeframe from 24 hours' notice to 2 hours' notice.
		Extended Return to Work release requirements from 3 days to 5 days.
1170	Lactation Policy	Added expectations for exempt employees Updated language to follow employment law changes and recommended changes from December 16, 2024 Board meeting.
1180	Personal Telephone Calls and Visitors	No significant changes
1190	Dress and Grooming Standards	Simplified language regarding hair; added language for food safety regarding beard masks.
		Added language requiring employees to return their ID Badge upon Separation of Employment.
		Added language regarding sending staff home without pay for non-compliant apparel.
1200	Automobile Insurance and Driver's License	Added deadline for employees to submit mileage for reimbursement.
2010	Pay Procedures	Added language for split shift premiums in compliance with state law.
2020	Wage and Salary Administration	Removed language regarding agency minimum wage as state minimum wage will be competing with it in the next year or two.
2030	Garnishments	No significant changes
2040	Discretionary Bonus	No significant changes
2050	Hazard Pay Policy	Eliminated Hazard Pay Policy
2060	Pay Scale Information	No significant changes
3010	Holidays	Changed eligibility for Holiday pay to exclude those that call out the day before or after a holiday (without notice)
3020	Vacations	No significant changes
3030	Sick Time	Change minimum use of Sick Time from one hour to 30 minutes.
		Kin Care definition clarified to represent a calendar year starting January 1.
		Updated Sick Time Accrual amount to match 2023 PSL Policy Change
3040	Paid Sick Leave	No significant changes.
3050	Insurance Benefits	Updated policy to require employee's payment of premiums while on leave.

3060	Retirement Plans	Updated vestment of 401a plan to two years.
3070	Vacation Donation Policy	Clarified eligibility requirement for donors and recipients.
3080	Employee Assistance Program	Moved Policy from 7040 to 3080 as part of employee benefits section of policy manual.
3070	Vaccination Policy	Policy Deleted
3080	Health and Wellness Platform	Policy Deleted
4010	Family And Medical Leave and California Family Rights Act	Moved Interactive Process section to new policy 4020
4020	Interactive Process	New Policy, pulled from policy 4010.
4030	Leaves of Absences	Added reproductive loss leave in compliance with employment law.
4040	Military Leaves	No significant changes
4050	Domestic Violence and Sexual Assault Victim Leave	Added definition of victim
5010	Workplace Atmosphere	Significant revision to the Workplace Atmosphere policy to include additional definitions and guidance.
5020	Standards of Performance and Conduct	Revised Performance and conduct standards
5030	Progressive Discipline	Clarified performance and conduct discipline, and progressive discipline
5040	Alcohol/Drug Free Workplace	No significant changes
5050	Mandatory Child Abuse Reporting	Policy Re-written
5060	Employment of Relatives (Nepotism) and Personal Relationships	Policy Re-written
5070	Code of Ethics and Business Conduct	No significant changes
5080	Solicitation, Distribution, and Posting	Policy rewritten
5090	Privacy and the Use of Fresno EOC Resources	No significant changes
5100	Social Networking	No significant changes
5110	Remote Work Access Guidelines	No significant changes

5120	Remote Work Policy	Remote work not available for employees until after 90 days of employment.
5130	Retention Policy	No significant changes
5140	Employee Referral Incentive Program	No significant changes
5150	Child Support Referral	New Policy - to comply with CSBG Requirements
6010	Commitment to Safety	No significant changes
6020	Workplace Violence	Includes recommended changes from December 16, 2024 Board meeting
6030	Infectious Disease Control	Policy eliminated
7010	Learning and Development	No significant changes
7020	Professional Certification Reimbursement	New Policy
7030	Succession Planning	No significant changes
7040	Performance Evaluations	Changed timeframe for evaluation due dates to follow introductory period changes from policy 1140. Revised and clarified the Performance Improvement Plan (PIP) process.
7050	Separation of Employment	No significant changes.
7060	Layoffs and Furloughs	No significant changes
7070	Severance Pay	Added Chief Officer severance pay level.



Fresno
**Economic
Opportunities
Commission**

PERSONNEL POLICIES & PROCEDURES MANUAL

DRAFT

APPROVED OCTOBER 5, 2023

INTRODUCTION TO PERSONNEL POLICIES & PROCEDURES MANUAL

The purpose of these policies, procedures, rules and guidelines is to establish systematic and uniform procedures for handling personnel matters. It is the duty and responsibility of all employees of Fresno EOC to read, understand, know and comply with and assist in carrying into effect the provisions of these rules as amended ~~and required by law, from time to time.~~

I. GENERAL STATEMENTS

-These rules and procedures cannot address all possible workplace issues and the absence of a policy to address an issue shall not be construed as prohibiting the Agency from appropriately addressing the matter. In instances where the Agency has negotiated collective bargaining agreements, the Personnel Manual shall prevail where the bargaining agreements are silent. Under no circumstances shall these policies be constructed to act as or create any type of express or implied employment contract with any employee of Fresno EOC. This manual supersedes and replaces all previous Personnel Policies and Procedures Manuals.

Fresno EOC reserves full discretion to add, modify, or delete provisions of this Manual at any time, in whole or in part, without advance notice, consent or approval unless otherwise required by law.

Only the Chief Executive Officer (hereafter CEO) has the authority to enter into any employment or other agreement that modifies Fresno EOC policy. Any such modifications must be in writing and signed by the CEO. These policies are not intended to alter or affect the basis of employment with Fresno EOC. No oral statements or representations can change the provisions of this manual.

II. AGENCY PROPERTY

All manuals are the property of Fresno EOC and are assigned to the job position and not to the individual. The Human Resources Office is responsible for distribution of the manuals to directors and management who, in turn, are responsible for safeguarding the materials and inserting approved changes. The current policy manual can be accessed on the intranet by all employees.

III. POLICY INTERPRETATION

Directors, management and supervisors should refer to the manual whenever questions of policy interpretation or implementation arise.

Policies needing clarification or interpretation should be referred to the Human Resources Office.

TABLE OF CONTENTS

I. EMPLOYMENT

- 1010 Employment At-Will
- 1020 Equal Employment Opportunity Policy
- 1030 Diversity Policy
- 1040 Discrimination/Harassment/Retaliation Complaint and Prevention Policy
- 1050 Management Flow, and Open Communication
- 1060 Personnel Records
- 1070 Employment Classifications
- 1080 Determination of Exempt and Non-Exempt Status
- 1090 Recruitment, Selection and Employment
- 1100 Internship and Volunteer Programs
- 1110 Outside Employment
- 1120 Transfers and Promotions
- 1130 New Employee Orientation
- 1140 Introductory Period
- 1150 Hours of Work, Rest and Meal Breaks
- 1160 Punctuality and Attendance
- 1170 Lactation Policy
- 1180 Personal Telephone Calls and Visitors
- 1190 Dress and Grooming Standards
- 1200 Automobile Insurance and Driver's License

II. PAY PRACTICES

- 2010 Pay Procedures
- 2020 Wage and Salary Administration
- 2030 Garnishments
- 2040 Discretionary Bonus
- 2050 ~~Hazard Pay Policy~~

III. BENEFITS

- 3010 Holidays
- 3020 Vacations
- 3030 Sick Time
- 3040 Paid Sick Leave
- 3050 Insurance Benefits
- 3060 Retirement Plans
- 3070 ~~Vaccination Policy~~ Vacation Donation Policy
- 3080 ~~Health and Wellness Platform~~ Employee Assistance Program

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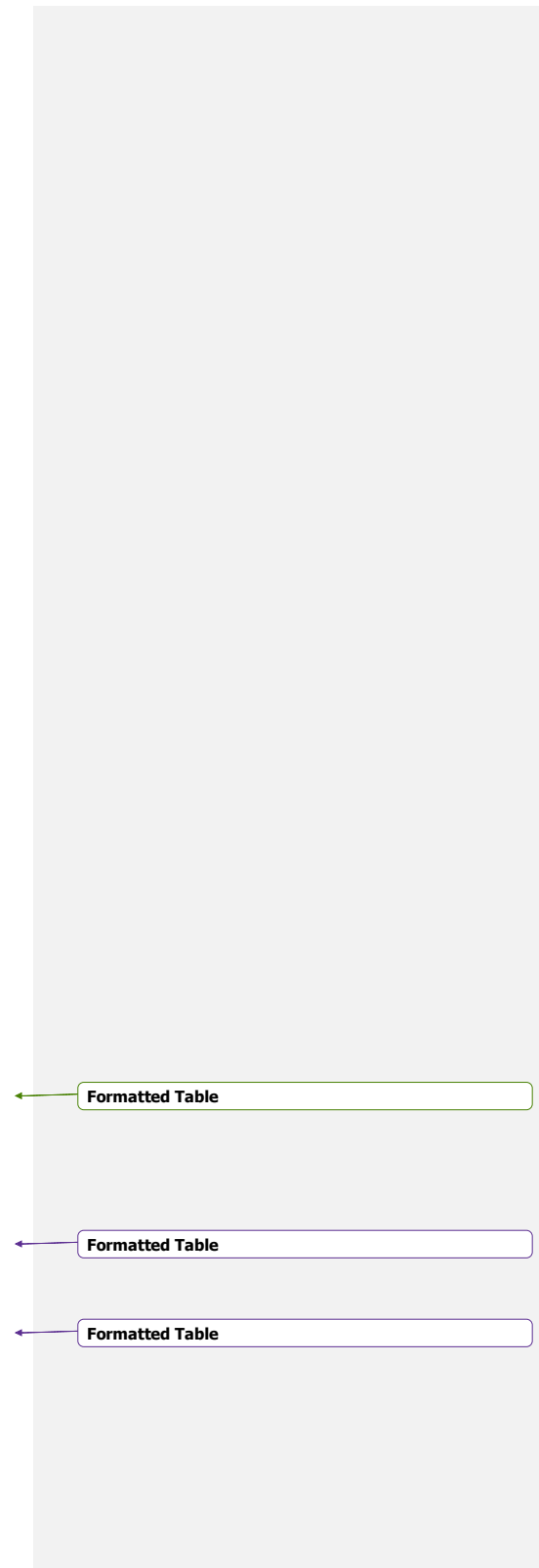
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- IV. LEAVES OF ABSENCE
 - 4010 Family And Medical Leave and California Family Rights Act
Interactive Process/Light Duty Assignments~~Leaves of~~
 - 4020 ~~Absences~~
 - 4030 Leaves of Absences~~Military Leaves~~
 - ~~Military Leaves~~Domestic Violence and Sexual Assault Victim
 - 4040 ~~Leave~~
 - 4050 Domestic Violence and Sexual Assault Victim Leave

- V. WORKPLACE PRACTICES
 - 5010 Workplace Atmosphere
 - 5020 Standards of Performance and Conduct
 - 5030 Progressive Discipline
 - 5040 Alcohol/Drug Free Workplace
 - 5050 Mandatory Child Abuse Reporting
 - Employment of Relatives (Nepotism) and Personal
 - 5060 Relationships
 - 5070 Code of Ethics and Business Conduct
 - 5080 Solicitation, Distribution, and Posting
 - 5090 Privacy and the Use of Fresno EOC Resources
 - 5100 Social Networking
 - 5110 Remote Work Access Guidelines
 - 5120 Remote Work Policy
 - 5130 Retention Policy
 - 5140 Employee Referral Incentive Program
 - 5150 Child Support Referral

- VI. SAFETY
 - 6010 Commitment to Safety
 - 6020 Workplace Violence
 - ~~6030 Infectious Disease Control~~

- VII. PERFORMANCE AND PROBLEM RESOLUTION
 - 7010 Learning and Development
 - 7020 Professional Certification Reimbursement
 - ~~7030~~29 Succession Planning
 - ~~7040~~39 Performance Evaluations
 - ~~7040~~ Employee Assistance Program
 - 7050 Separation of Employment
 - 7060 Layoffs and Furloughs



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7070 Severance Pay

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POLICY 1010 EMPLOYMENT AT WILL

PURPOSE: To inform employees of their at-will status within the Agency.

POLICY: It is the policy of Fresno EOC to observe the requirements of all federal and state laws and regulations pertaining to the at-will statement.

REFERENCE: CA Labor Code § 2922

PROCEDURE:

Employment with Fresno EOC is voluntary and is subject to termination by employees or Fresno EOC at-will, with or without cause, and with or without notice, at any time. These policies shall not be in conflict with, eliminate or modify the employment at-will status of Fresno EOC employees.

This policy of employment at-will may not be modified by any officer or employee and shall not be modified in any publication or document. The only exception to this policy is a written employment agreement, for a term longer than one month, approved at the discretion of the Chief Executive Officer or the Board of Commissioners, whichever is applicable. ~~I~~ these personnel policies are not a contract of employment.

POLICY 1020 EQUAL EMPLOYMENT OPPORTUNITY POLICY

PURPOSE: To affirm Fresno EOC's policy of nondiscrimination and to assign responsibility for its operation and continuous review.

POLICY: It is the policy of Fresno EOC to recruit, employ, evaluate, transfer, and promote qualified personnel without distinction to race (including traits historically associated with race including but not limited to hair texture and protective hairstyles), color, sex, religious creed (including all aspects of religious beliefs, observances or practices, including but not limited to religious dress or grooming practices), gender (including but not limited to gender identity and gender expression), marital status, registered domestic partner status, age, national origin or ancestry (including but not limited to language use restrictions and possession of a driver's license issued to persons unable to prove their presence in the United States as authorized under federal law), citizenship status, physical or mental disability (except when physical fitness is a valid occupational qualification), medical condition (including but not limited to genetic characteristics, HIV, AIDS, or cancer or a history of cancer), genetic information, sexual orientation, reproductive health decision-making (including, but not limited to, a decision to use or access a particular drug, device, product, or medical service for reproductive health), military and veteran status, taking or requesting to take protected leave(s), engaging in protected activity outside of work (including, but not limited to, lawful use of cannabis off the job and away from the workplace, except as limited by law), ~~race (including hair texture and protective hairstyle), color, ethnicity, national origin, ancestry, sex, pregnancy (including childbirth and related medical conditions), request for pregnancy disability leave, religion, creed, religious dress and grooming practices, age, physical or mental disability, medical condition, request for leave for a serious health condition, marital status, sexual preference, sexual orientation, gender identity, gender expression, sex stereotype, transgender, transitioning or perceived to be, reproductive health decision making, genetic information, citizenship status, military or veteran's status, primary language,~~ activities and status as a victim of domestic violence, assault or stalking or because of a person's relationship or association with members of a protected group or associations with organizations established for the preservation of rights protected under the law, request for family care leave, criminal background, or for any other reason prohibited by law or regulation and not work related. All such discrimination is unlawful.

REFERENCE: Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e et seq.), the Age Discrimination in Employment Act of 1967 (29 U.S.C. § 621 et seq.), the Immigration Reform and Control Act of 1986, Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.), the Rehabilitation Act of 1973 (29 U.S.C. §§ 793 et seq.), the Vietnam Era Veterans' Readjustment Assistance Act and Uniformed Service Employment and Reemployment Rights Act of 1994 (38 U.S.C. §§ 4211 et seq., 4301 et seq.), the Federal Family and Medical Leave Act of 1993 (29 U.S.C. § 2615), the Equal Pay Act of 1963, the Fair Employment and Housing Act (Gov. Code § 12900 et. seq.), California Labor Code § 1102.1, Title II of the Genetic Information Nondiscrimination Act of 2008, GINA, California AB 887, California SB 600, California Fair Pay Act (SB 358), California AB 987, Gender Nondiscrimination Act, Fair Chance Act.

PROCEDURES:

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I. COMMITMENT

Fresno EOC is committed to equal opportunity employment for all employees and applicants. Employment decisions will comply with all applicable laws prohibiting discrimination in employment. This commitment applies to all persons involved with Fresno EOC operations and prohibits unlawful discrimination by any employee of Fresno EOC, including supervisors, managers, coworkers, and third parties

Accommodating Disabilities: To comply with applicable laws and ensure equal opportunity to qualified individuals with disabilities, Fresno EOC will make reasonable accommodations for the known physical and mental limitations of an otherwise qualified applicant or employee unless undue hardship on Fresno EOC would result. An employee or applicant who requires accommodation to perform the essential functions of the job should contact their supervisor or Human Resources and request such accommodation. The individual with the disability should specify what accommodations they need to perform the job. Fresno EOC will then evaluate and identify barriers for the employee to performing the job, and possible accommodations, if any, which will help resolve the limitation. If the accommodation is reasonable and will not impose an undue hardship or pose a direct threat to the health and safety of the employee or coworkers, Fresno EOC will make the accommodation. If there is more than one reasonable accommodation that will not impose an undue hardship, Fresno EOC will identify and select the accommodation(s) that will be made for the applicant or employee. In considering possible accommodations, Fresno EOC cannot eliminate essential functions of a position.- Fresno EOC will not discriminate or retaliate against employees or applicants for making reasonable accommodation requests.

Accommodating Religious Beliefs:

Accommodating Religious Beliefs: To comply with applicable laws and ensure equal opportunity to qualified individuals with sincerely held religious beliefs, Fresno EOC will make reasonable accommodations for the known religious beliefs of an otherwise qualified applicant or employee unless undue hardship on Fresno EOC would result. An employee or applicant who requires accommodation to perform the essential functions of the job should contact their supervisor or Human Resources and request such accommodation. The individual with the religious belief should specify what accommodations they need to perform the job. Fresno EOC will then evaluate and identify barriers for the employee to performing the job, and possible accommodations, if any, which will help resolve the limitation. If the accommodation is reasonable and will not impose an undue hardship or pose a direct threat to the health and safety of the employee or coworkers, Fresno EOC will make the accommodation. If there is more than one reasonable accommodation that will not impose an undue hardship, Fresno EOC will identify and select the accommodation(s) that will be made for the applicant or employee. In considering possible accommodations, Fresno EOC cannot eliminate essential functions of a position. Fresno EOC will not discriminate or retaliate against employees or applicants for making reasonable accommodation requests.

Fresno EOC prohibits any pay discrimination in accordance with will not tolerate any pay discrimination based on sex per the California Equal Pay Act and will not retaliate against employees for discussing wages.

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Each person with authority to hire, transfer, promote, evaluate, adjust salaries, issue ~~disciplinary action~~corrective action, terminate an employee, or to effectively recommend such action, is responsible for ensuring compliance with this policy.

II. RESPONSIBILITY

A. The Human Resources ~~Office Director/Officer~~ is responsible for the dissemination of information regarding this policy, its implementation, and to monitor compliance by employees.

B. Policy Dissemination: To ensure compliance with this policy, employees and members of the community-at-large must be made aware of the Agency's policy and commitment to Equal Opportunity Employment.

All advertisements for employment with Fresno EOC will include the phrase "Equal Opportunity Employer, or EOE" to ensure that candidates for employment internally and from recruitment sources such as community organizations, state agencies, secondary schools and colleges, are aware of the Agency's policies on Equal Opportunity Employment.

III. RECRUITMENT

A. Fresno EOC is committed to a diverse workforce which is reflective of the communities we serve.

B. Available open positions within the Agency are included on the Intranet/Internet which is updated regularly by Human Resources and the Communications Department.

IV. ADVANCEMENT OPPORTUNITIES

A. It is the expressed goal of Fresno EOC to assist all employees in developing their skills and abilities to their maximum potential.

B. Employees are encouraged to apply for consideration for promotional opportunities within Fresno EOC. All qualified employees who apply for an advancement opportunity will receive equal consideration. Selection for promotion, training and transfer opportunities will be based on the employee's ability to perform the essential functions of the position and meeting the qualifications of the new position, with or without reasonable accommodation, along with other factors (see Policy 1120, Transfers and Promotions).

C. To the extent possible, training may be provided to assist employees in meeting established requirements and qualifications for advancement. Fresno EOC retains the right to select a candidate that is already qualified and interviewed.

D. Performance evaluations are completed to assess an employee's job performance in relationship with established performance criteria for job classification and to identify training needs for improved performance.

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Ongoing evaluation will be made of the Agency's policies, procedures, and practices to ensure non-discrimination and equal opportunity.

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POLICY 1030 DIVERSITY POLICY

PURPOSE: Fresno EOC places a high importance on diversity, equity, and inclusion and aspires to be a workplace that ~~benefits works for~~ everyone. Fresno EOC believes that diversity, equity, and inclusion are essential to organizational effectiveness and excellence, and that services are enhanced when organizations are reflective of the communities being served. Moreover, Fresno EOC seeks to provide a fair and inclusive work environment that will nurture, develop, and respect the talents and differences of all employees equally, to give the Agency a competitive advantage, and promote the development of people from all sectors.

POLICY: It is the policy of Fresno EOC to employ the talents of all segments of society by enhancing our ability to recruit, hire, train, promote and retain a more diverse workforce. This policy seeks to create a culture of collaboration, flexibility, and fairness to enable individuals to participate and contribute to their full potential towards common goals.

REFERENCE: 76 Fed. Register 163

PROCEDURES:

I. DEFINITION

Diversity describes an environment where the talents and attributes of all employees are respected, valued, and utilized to ~~efficiently and effectively pursue organizational objectives~~ pursue organizational objectives efficiently and effectively. These attributes include a broad spectrum of characteristics including, but not limited to, race, color, ethnicity, national origin, gender, age, religion, religious belief, culture, language, disability, sexual orientation, gender identity, gender expression, sex, transgender, transitioning or perceived to be, socioeconomic status, family structures, geographic differences, diversity of thought, education, technical expertise, life experiences, physical and mental ability, political affiliation, veteran status and other characteristics that make our employees unique.

II. COMMITMENT

Our employees are the most valuable asset we have, as such, Fresno EOC is committed to fostering, cultivating, and preserving a culture of diversity, equity, and inclusion. ~~Our employees are the most valuable asset we have~~. The collective sum of the individual attributes, differences, life experiences, knowledge, inventiveness, innovation, self-expression, unique capabilities, and talents of our employees represent a significant part of not only our culture, but our reputation and our ability to achieve. As such, Fresno EOC draws upon the diverse life experiences of our employees and encourages their full and active participation in the Agency.

Achieving diversity requires commitment from ~~the~~ organization's-Agency's leadership at all levels. This commitment must be well thought out and ~~extend~~ extended over time, with an understanding that there must be a continued commitment to maintain our diverse workforce. Achieving diversity is an ongoing process, which the Agency believes will lead to a more innovative, pluralistic, and economically productive agency.

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III. OBJECTIVES

Fresno EOC strives to be a model agency by leveraging diversity and fostering equity and inclusion to deliver the best service possible to those we serve.

The Agency promotes diversity within its own organization in order that it may:

- reflect the racial, ethnic and other characteristics of those living in the communities served;
- promote greater understanding of and respect for the diversity within these communities;
- recognize and amplify these communities' "voices";
- build on the strengths of its employees and develop emerging leaders; and
- achieve the highest level of effectiveness and well-informed decision-making.

IV. RESPONSIBILITY

The Agency will advance these objectives by:

- promoting amongst the Board, Leadership, management, and staff
- improving access for all those needing the programs and services of the Agency
- supporting self-development efforts of traditionally underrepresented groups to become equal participants within the Agency
- supporting specific efforts within the Agency and the community that address diversity, equity, and inclusion
- creating specific efforts that promote leadership development and build the capacity of employees
- actively seeking to be informed by all viewpoints
- promoting awareness of the value of diversity within the Agency and the community
- having a visible presence in all communities
- advocating for diversity in the community
- expecting respectful communication and cooperation between all employees
- encouraging teamwork and employee participation through the representation of all groups and employee perspectives in collaborative efforts and group-work settings
- recognizing work/life balance by offering accommodating work schedules
- requiring all employees to attend trainings to enhance their knowledge to fulfill this responsibility
- training all new hires on diversity awareness during new hire orientation
- providing opportunities for education and training
- identifying and addressing barriers that impede diversity

Fresno EOC's diversity initiatives include, but are not limited to: the practices and policies regarding recruitment and selection, compensation and benefits, professional development and training, promotions, transfers, social and recreational programs, layoffs, terminations, and the ongoing development of a diverse work environment.

Any employee found to have engaged in any conduct or behavior in contrast with this diversity policy may be subject to ~~corrective action~~ disciplinary action up to and including termination (see Policy 5030, Progressive Discipline).

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POLICY 1040 DISCRIMINATION/HARASSMENT/RETALIATION COMPLAINT AND PREVENTION POLICY

PURPOSE: The Agency is committed to providing a work environment free of unlawful discrimination, harassment, and retaliation in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment, and retaliation.

POLICY: The Agency is committed to preserving a workplace free of discrimination, harassment, retaliation, and inappropriate workplace conduct based on protected classifications and in compliance with state and federal requirements as well as the use of sound management principles. The Agency will make every reasonable effort to ensure that all concerned are familiar with these policies and are aware that any complaint in violation of such policies will be investigated and resolved appropriately.

Any employee who has questions or concerns about these policies should communicate them to the ~~Human Resources Department~~[Human Resources Office](#).

REFERENCE: Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e et seq.), the Age Discrimination in Employment Act of 1967 (29 U.S.C. § 621 et seq.), the Immigration Reform and Control Act of 1986, Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.), the Rehabilitation Act of 1973 (29 U.S.C. §§ 793 et seq.), the Vietnam Era Veterans' Readjustment Assistance Act and Uniformed Service Employment and Reemployment Rights Act of 1994 (38 U.S.C. §§ 4211 et seq., 4301 et seq.), the Federal Family and Medical Leave Act of 1993 (29 U.S.C. § 2615), the Equal Pay Act of 1963, the Fair Employment and Housing Act (Gov. Code § 12900 et. seq.), California Labor Code § 1102.1, Title II of the Genetic Information Nondiscrimination Act of 2008, GINA, California AB 887, California SB 600, California SB 358, California AB 987, Gender Nondiscrimination Act. FEHA (Gov. Code § 12940 (h), 29 C.F.R. § 1604.11, §11019(b) and §11009(e), Fair Employment and Housing Council §11031, California AB 1825, Gov. Code §12950.1, 12950

PROCEDURES:

I. INDIVIDUALS AND CONDUCT COVERED

These policies apply to all applicants, employees, unpaid interns, volunteers, client, commissioner and/or customer, whether related to conduct engaged in by fellow employees or by someone not directly connected to Fresno EOC (e.g., an outside vendor, consultant, or customer).

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

II. OVERVIEW

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The law and the policies of Fresno EOC prohibit disparate treatment on the basis of any protected characteristic, with regard to terms, conditions, and privileges of employment. The prohibitions against discrimination, harassment and retaliation are intended to complement and further those policies, not to form the basis of an exception to them.

All individuals should be afforded the opportunity to participate in business or work-related social activities or discussions without fear of discrimination or harassment.

A. Equal Employment Opportunity

It is the policy of Fresno EOC to ensure equal employment opportunity without discrimination or harassment on the basis of:

- race (~~including traits historically associated with race including but not limited to hair texture and protective hairstyles including hairstyle/texture~~);
- ancestry (~~including but not limited to language use restrictions and possession of a driver's license issued to persons unable to prove their presence in the United States as authorized under federal law~~);
- citizenship status;
- religion or religious creed (including religious dress and grooming practices);
- color;
- age (40 and over);
- sex;
- gender;
- sexual orientation;
- gender identity or expression;
- genetic information;
- national origin (including language use restrictions);
- marital status;
- domestic partner status;
- medical condition (including cancer, HIV/AIDS and genetic characteristics);
- physical or mental disability (~~including HIV and AIDS~~);
- military or veteran status;
- pregnancy;
- childbirth;
- breastfeeding and related medical conditions;
- reproductive health decision-making (~~including but not limited to a decision to use or access a particular drug, device, product, or medical service for reproductive health~~);
- taking or requesting to take protected leave(s);
- engaging in protected activity outside of work (~~including, but not limited to, lawful use of cannabis off the job and away from the workplace, except as limited by law~~); or
- any other characteristic protected by law as Fresno EOC prohibits any such discrimination or harassment.
- ~~Individuals~~ individuals whose affiliation with or perceived affiliation with any characteristic protected by law including those listed above.

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B. Prohibiting Retaliation

The Agency encourages reporting of all perceived incidents of discrimination or harassment so that it may promptly and thoroughly investigate such reports. The Agency prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports.

C. Sexual Harassment

Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, "sexual harassment" is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

~~Title VII of the Civil Rights Act of 1964 recognizes two types of sexual harassment:~~

- ~~Quid Pro Quo~~
- ~~Hostile Work Environment.~~

Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender.

Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

D. Harassment

For the purposes of this policy, harassment is considered to be verbal, written or physical conduct that denigrates, shows hostility, and/or aversion toward an individual and/or that of an individual's relatives, friends or associates, because of the reasons listed under section A. Equal Employment Opportunity and that:

628738.3-015313.00001

- has the purpose or effect of creating an intimidating, hostile or offensive work environment;
- has the purpose or effect of unreasonably interfering with an individual's work performance; or
- otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material, including the display of signs or symbols, that denigrates, shows hostility, and/or aversion toward an individual or group that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on company/agency time or using company/agency equipment by e-mail, phone (including voice messages), text messages, social networking sites or other means.

E. Guidelines for Hugging

Fresno EOC understands that hugging can benefit employees and the workplace but consent for hugging must be requested and received.

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- Consent: Always seek explicit verbal or non-verbal consent before initiating any physical contact, including hugging. If in doubt, avoid initiating physical contact.
- Respect Personal Space: Understand that not everyone is comfortable with physical displays of affection, even in friendly situations. Respect personal boundaries at all times.
- Professional Environment: Be mindful of the context. Hugging should be avoided in professional or formal settings, such as meetings, presentations, or interactions with clients.
- Power Dynamics: Supervisors, managers, or individuals in positions of authority should exercise extra caution when considering physical interaction with subordinates, as there may be an inherent pressure or expectation.
- Cultural Sensitivity: Recognize that cultural differences may influence how physical touch is perceived. Some individuals may come from backgrounds where hugging is uncommon or uncomfortable.
- Alternative Gestures: If you wish to express support or congratulations, consider alternative gestures such as a verbal compliment, a handshake, or a pat on the back.
- Communicate Directly: Politely express discomfort to the individual involved if they feel comfortable doing so.

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If any employee feels uncomfortable or experiences unwelcome physical contact, they are encouraged to report to the Human Resources Office. Employees can report any concerns about inappropriate physical contact, including hugging, to Human Resources or their supervisor without fear of retaliation. All reports will be handled confidentially and investigated promptly, in accordance with the agency's anti-harassment and workplace conduct policies.

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III. MANDATORY TRAINING

Fresno EOC requires interactive training and education regarding sexual harassment and abusive conduct prevention. Every two years, supervisory employees must receive two (2) hours of training and non-supervisory employees must receive one (1) hour of training. New nonsupervisory employees will be provided one (1) hour of training within ninety (90) days of hire. New supervisory employees will be provided two (2) hours of training within thirty (30) days of assuming their supervisory position. Fresno EOC may provide this training in conjunction with other training provided to the employees.

IV. REPORTING AN INCIDENT OF DISCRIMINATION, HARASSMENT, OR RETALIATION

The Agency encourages reporting of all perceived incidents of discrimination, harassment or retaliation, regardless of the identity or position held by the accused. Individuals who believe that they have been the victim of such conduct should discuss their concerns with their immediate supervisor, director, or Human Resources management. See the complaint procedure described below.

In addition, Fresno EOC also encourages individuals who believe they are being subjected to such conduct to promptly advise the accused that their behavior is unwelcome and to request that it be discontinued. Often, this action alone will resolve the problem. The Agency recognizes, however, that an individual may prefer to pursue the matter through complaint procedures.

Any person, employee, or manager who has an obligation to report violations of this policy and fails to do so will be subject to ~~corrective action~~disciplinary action, up to or including termination.

V. COMPLAINT PROCEDURE

Individuals who believe they have been the victim of conduct prohibited by this policy or believe they have witnessed such conduct should discuss their concerns with their immediate supervisor, director, or Human Resources management.

Any reported allegations of discrimination, harassment or retaliation will be investigated promptly by ~~management staff in~~ the Human Resources Office. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have relevant knowledge.

The Agency will handle all situations with confidentiality, to the extent possible, by making every effort to limit both the number of people involved with the investigation and the extent of the discussion with them to a need-to-know basis, while ensuring that the investigation is conducted thoroughly and objectively. Upon completion of the investigation, the investigator will provide an objective decision of the reported claims based on preponderance of evidence.

VI. RETALIATION

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The Agency prohibits retaliation against employees who, in good faith, report what they believe to be discrimination, harassment, retaliation, or inappropriate workplace conduct based on a protected classification, or who participates in the investigation of such complaints or other proceeding conducted by the California Civil Rights Department (“CCRD”) or U.S. Equal Employment Opportunity Commission (“EEOC”) or other applicable agency.

Retaliation can include conduct such as termination, demotion, loss of duties, or disadvantageous transfers or assignments as well as expressing hostility, shunning or avoiding an individual, applying unreasonable or unfair job expectations, and real or implied threats or intimidation against the complainant(s) or a participant in the investigation.

Any employee experiencing or witnessing retaliatory conduct should immediately report the conduct consistent with reporting procedures contained within this policy. Any person engaging in retaliatory conduct will be subject to discipline up to and including termination.

VII. RESPONSIVE ACTION

Misconduct constituting discrimination, harassment or retaliation will be addressed appropriately. Fresno EOC will engage in a prompt and impartial investigation. Responsive action may include but is not limited to, ~~corrective action~~ disciplinary action, training, referral for assistance, reassignment, temporary suspension without pay, or termination, as Fresno EOC believes appropriate under the circumstances.

If a party to a complaint does not agree with the resolution, that party may appeal to the ~~Program Director, Human Resources Director/Officer~~ Human Resources Office.

False and malicious complaints of discrimination, harassment or retaliation (as opposed to complaints that, even if erroneous, are made in good faith) may be the subject of appropriate disciplinary action.

Supervisors and managers have a responsibility to the employees and Fresno EOC to report any concerns or complaints of misconduct under this policy to their immediate supervisor (when appropriate) and Human Resources ~~management~~. Supervisors and/or managers must:

- ensure that their work environment remains free of discrimination, harassment, and retaliation;
- coordinate and cooperate with the Program Director in disseminating this policy to all employees under their management/supervision; and
- cooperate with the Program Director, Human Resources management and/or designated person in the investigation of complaints involving employees under their management/supervision.

When discrimination and/or harassment has occurred, supervisors and managers:

- must take reasonable steps to protect the complainant from further discrimination, harassment or retaliation;

628738.3-015313.00001

- must take action to remedy the effects of discrimination/harassment/retaliation; and
- may be asked to participate in discrimination and harassment prevention training provided by Fresno EOC.

VIII. INTERACTIONS WITH NON-EMPLOYEES

Employees are also prohibited from engaging in the conduct outlined in this policy with non-employees whom they come into contact with, such as employees of contractors, customers, suppliers, and temporary employment agency employees.

IX. CONTRACTS INVOLVING NON-EMPLOYEES

When programs enter into contracts with independent contractors and persons providing services pursuant to a program grant, the Program Director shall ensure language is provided in the contract requiring those contractors to be responsible for ensuring that effective policies and procedures concerning the prevention of discrimination, harassment, and retaliation exist in their companies/businesses. Appropriate action will be taken if the employee of a customer, vendor, supplier, agency, contractor, or other entity with whom Fresno EOC does business engages in conduct prohibited by this policy.

X. EMPLOYEE RESPONSIBILITY

Employees who were subject to or witnessed a violation of this policy should immediately report the violation to their supervisor or Human Resources ~~management~~.

Employees shall:

- not violate any provision of this policy;
- participate in anti-discrimination/harassment/retaliation training provided by Fresno EOC;
- cooperate fully with investigations of discrimination, harassment, and retaliation; and
- verify in writing that they have received a copy of this policy.

XI. SUPERVISOR AND MANAGEMENT RESPONSIBILITY

Supervisors and/or managers who knew or should have reasonably known of a violation of this policy and do not report the violation will be subject to ~~corrective action~~ disciplinary action, up to and including termination.

XII. ADDITIONAL REPORTING INFORMATION

Anyone who believes that they have been harassed, discriminated, or retaliated against may, within three years of the harassment or discrimination, file a complaint of discrimination with the CCRD or within 300 days of the harassment or discrimination file a complaint of

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discrimination with the EEOC. Information regarding these agencies is available on the internet at the following websites:

- U.S. Equal Employment Opportunity Commission: www.eeoc.gov
- California Civil Rights Department: www.cacivilrightserd.ca.gov

Field Code Changed

Because complaints made only to outside agencies may prevent Fresno EOC from taking prompt and appropriate action to remedy any situation, Fresno EOC requests, but does not require, that employees who file complaints to outside agencies also submit a complaint to Fresno EOC.

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POLICY 1050 MANAGEMENT FLOW, OPEN COMMUNICATION

PURPOSE: To describe the Agency's Management Flow and to provide an informal means of Open Communication with management.

POLICY: It is the policy of Fresno EOC to encourage employee participation in decisions affecting them and their daily professional responsibilities. An employee who has job-related interests, suggestions or questions is encouraged to initiate discussion with their supervisor(s). The Agency believes that employee job-related interests, suggestions or questions are best addressed through this type of informal open communication.

PROCEDURES:

I. MANAGEMENT FLOW

The work of all employees will be assigned, directed, and reviewed by supervisory personnel.

A. Supervisor/Manager: The primary role of each supervisor is to provide a link between management and non-management employees. Accordingly, supervisors are expected to communicate the goals and policies of management and the Agency to the employees that report to them. Supervisors are also expected to communicate back to management the suggestions, interests, concerns, and complaints of their employees. This level of supervision generally reports to Program/Project Directors. It's important to note that an individual may not have the title of "supervisor" or "manager," but they could still hold supervisory-level responsibilities or have decision-making authority.

B. Program/Project Directors: Program/Project Directors are responsible for the day-to-day operation of individual programs/projects and for supervision of component personnel. Program/project decisions regarding operational, personnel, fiscal, or funding agency matters require the approval of the assigned director. This level of supervision generally reports to an Officer.

C. ~~C-Level Positions~~ Officer Positions: C-Level The officer level positions are responsible for the ~~administration and administration~~ and management of assigned departments/programs and supervision of Program/Project Directors. Major decisions regarding operational, personnel, fiscal, funding agency or legal matters may require the approval of the Chief Executive Officer. This level of supervision generally reports to a Chief ~~Officer, or the Chief Executive Officer.~~

D. Chief Executive Officer: The Chief Executive Officer is responsible for implementing the Board of Commissioners' policies. The Chief Executive Officer is responsible for all major decisions affecting the use of Fresno EOC resources to meet its mission, purpose, and vision, including policy, fiscal, and legal matters. The Chief Executive Officer supervises agency Officers, certain program/project directors and assigned support staff.

E. Board of Commissioners: The Board of Commissioners, duly composed under the provisions set forth in the bylaws, has the corporate responsibility for the Agency. The Board

628738.3-015313.00001

of Commissioners is responsible for the employment and assignment of the Chief Executive Officer.

II. INFORMAL OPEN COMMUNICATION PROCESS

Employees are encouraged to raise work-related interests, suggestions, and questions to their immediate supervisor as soon as possible. As first point of contact, immediate supervisors ~~are capable of responding~~can respond promptly and ~~initiating~~initiate action to resolve issues, answer questions, and review suggestions in a timely manner. For these reasons, employees are encouraged to raise and pursue discussions of work-related concerns with their immediate supervisor.

If the employee does not feel comfortable discussing certain issues with their immediate supervisor, then the employee is encouraged to discuss the issue with their manager, director, officer or with the ~~Human Resources Department~~Human Resources Office. (see Policy 1040 Discrimination/Harassment/Retaliation Complaint and Prevention Policy).

The Agency will attempt in each instance to explain the result to the employee and maintain confidentiality. No employee will be retaliated against for raising a good-faith concern.

POLICY 1060 PERSONNEL RECORDS

PURPOSE: To collect, use, and retain employee information required for business or legal reasons, provide employees with a means of reviewing records, and to control and limit internal and external release of information.

POLICY: It is the policy of Fresno EOC to maintain personnel records for applicants, employees, and past employees ~~in order to~~ document employment-related decisions, evaluate, ~~and~~ assess policies, and comply with government recordkeeping and reporting requirements.

REFERENCE: California Labor Code §1198.5, §432

PROCEDURES:

I. PERSONNEL INFORMATION

Fresno EOC only maintains personnel files as required by federal, state, or local law. Personnel records are ~~confidential~~ confidential, and employee information will be ~~obtained~~, used, and retained in a manner which protects each employee's privacy. The personnel file is used to determine employee qualifications for employment, promotion, additional compensation, termination, or discipline.

II. RESPONSIBILITY

A. Human ~~Resources—Resources Office~~ ~~Department~~: The Human Resources ~~Office~~ ~~Department~~ is solely responsible for overseeing recordkeeping for all personnel information and will specify what information will be collected and how it will be stored and secured. Individual programs are prohibited from keeping or NOT to keep their own personnel duplicating personnel records.

B. Employee: Employees have a responsibility to keep their personnel records up to date. The ~~Human Resources Department~~ Human Resources Office must be immediately notified in writing or through Employee Self Service (ESS) of any changes in personal data such as address, telephone number, marital status, number of dependents, tax withholding status, and person(s) to notify in case of an emergency. All eligible employees participating in any of Fresno EOC's benefit plans must maintain a current listing of dependents covered under the plan and current beneficiary designations for any of Fresno EOC's insurance, disability, or retirement plans.

III. INSPECTION OF RECORDS

A. Employees: An employee (or former employee) may inspect their own personnel file at a reasonable time and with reasonable notice.

An inspection by the employee must be requested in writing to the ~~Human Resources Department~~ Human Resources Office and will be scheduled at a mutually convenient time, but no later than 30 calendar days from the date that Fresno EOC received the employee's written

628738.3-015313.00001

request. Records that are considered to contain sensitive or confidential information, such as letters of reference or materials pertaining to a pending criminal investigation, will be excluded from the personnel file, inspection, and all. Inspections must be conducted in the presence of a designated member of the Human Resources Department Human Resources Office.

An employee has the right to request copies of their own personnel file, but may be charged the actual cost of copying. Upon receipt of a written request from a current or former employee, or a representative, the employer shall provide a copy of the personnel records, at a charge not to exceed the actual cost of reproduction, but no later than 30 calendar days from the date the employer receives the request. The employee can designate a representative if authorized in writing. An employee may submit a statement for their file if they dispute the accuracy, completeness, truthfulness, or relevance of any particular document in the file.

Employees have no right to inspect the personnel files of any other employee except as specified in Section B below.

The following individuals with direct reports may request access to view their employee's personnel file based on business need.

B. — Supervisors: Only supervisory and management employees who have a business need to know may inspect the files of an employee. The inspection must be approved by designated staff in the Human Resources Department Human Resources Office.

B. Supervisors/Managers: To ensure the confidentiality and security of employee information, only supervisory and management employees who have a business need-to-know may inspect the files of an employee. The inspection must be approved by designated staff in the Human Resources Office.

Managers and supervisors are required to submit a written request to the Human Resources Office to access an employee's file. The request should include the reason for the access and the specific information needed.

The requests should be submitted via email or official request forms provided by Human Resources, ensuring that the request is documented for tracking and audit purposes.

Access to sensitive information is strictly prohibited. Sensitive information includes, but is not limited to date of birth, Social Security number, background checks, personal health information, immigration status, race, gender, religion, sexual orientation, and criminal history.

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Any request for sensitive information must be justified with a clear, business-related rationale, and access will be reviewed on a case-by-case basis by Human Resources in consultation with the legal team.

Failure to comply with this policy may result in disciplinary action, up to and including termination of employment, depending on the severity of the violation.

628738.3-015313.00001

Personnel files are the property of Fresno EOC and may not be removed from the premises.

IV. RELEASE OF INFORMATION

Requests to verify employment information for current and previous employees shall be submitted to The Work Number at 800.367.5690 or www.theworknumber.com using Employer Code ~~73024903148505~~. The Work Number will release personnel information only after obtaining the written or e-signature consent of the individual involved. If The Work Number is unable to provide the information requested, the request may be forwarded to the Human Resources Department. Exceptions may be made to cooperate with investigatory or legal requirements.

V. EMPLOYMENT REFERENCE REQUESTS

Fresno EOC does not authorize any employee or supervisor to complete a reference check on behalf of the Agency. Should an employee or supervisor want to provide a reference, it must be done without the appearance of acting on behalf of the agency and cannot be written on ~~the a~~Agency's letterhead.

VI. SUBPOENAS

The ~~Human Resources Department~~Human Resources Office is the designated recipient when accepting legal documents regarding business and personnel matters. Fresno EOC does not accept subpoenas for personal matters on behalf of employees.

POLICY 1070 EMPLOYMENT CLASSIFICATIONS

PURPOSE: To establish a policy governing classifications of employees and to establish standard terminology to provide common understanding in reference to Fresno EOC employees.

POLICY: It is the policy of Fresno EOC to have employment classifications for each position within the Agency. Depending upon employment status, each employee is classified in one of four status categories: full-time regular, part-time regular, temporary, or on-call/substitute. The classification and the number of hours worked each week determine eligibility for benefits. For payroll and overtime purposes, each employee is classified as either exempt or non-exempt.

REFERENCE: 29 U.S.C. § 213(a)(a) (FLSA); 29 C.R.R. pt. 541; 8 Cal. Code Reg. §§ 11010-11040, 11060-11150, 1(A) (Cal. Wage Order Nos. 4-89, 9-90); 8 Cal. Code Reg. § 11050, 1(B) No. 89, Cal. Wage Order 5-2001); California Labor Code § 3353.

PROCEDURES:

I. FULL-TIME REGULAR EMPLOYEES

An employee who is regularly scheduled to ~~and does~~ work thirty-five (35) to forty (40) hours per week, excluding vacation and periods of authorized leave, for a period of indefinite duration is referred to as a full-time regular employee. Full-time regular employees are eligible to participate in the benefit program (see Policy 3050, Insurance Benefits).

II. PART-TIME REGULAR EMPLOYEES

An employee who is regularly scheduled to ~~and does~~ work less than the full-time workweek for a period of indefinite duration is referred to as a part-time regular employee. Part-time regular employees who work thirty (30) hours or more per week are eligible to participate in the benefit program (see Policy 3050, Insurance Benefits).

III. TEMPORARY EMPLOYEES

A temporary employee is an individual who is hired either part-time or full-time for a ~~specified, limited period, usually~~ not to exceed one (1) year in any funded position. ~~When the need arises, Fresno EOC will hire employees for a temporary period.~~

Temporary employees do not become regular employees as a result of the passage of time. ~~Temporary employees are encouraged to apply for open positions but will not be given special consideration for the temporary position they occupy should the position become a regular full-time or part-time position. If the temporary employee qualifies for a vacant position, the introductory period will end after one year from the seniority date.~~

Temporary employees may be eligible to participate in health insurance program benefits (see Policy 3050) or other benefits as required by law. An employee whose status changes from

628738.3-015313.00001

temporary to full-time regular or part-time regular, working more than 30 hours, will become eligible for benefits (see Policy 3050, Insurance Benefits).

IV. ON-CALL/SUBSTITUTE EMPLOYEES

On-call/substitute employees are those who are not regularly scheduled to work. They work only as needed and are called in for the purpose of providing relief on short notice or in the event of an unexpected absence by another employee. On-call/substitute employees must meet the minimum qualifications for the job classification in which they are hired.

Substitute/On-Call employees do not become regular employees as a result of the passage of time. Substitute/On-Call employees are encouraged to apply for open positions but will not be given special consideration should the substitute/on-call position become a regular full-time or part-time position. ~~If the Substitute/On-Call qualifies for a vacant position, the introductory period will end after one year from the seniority date.~~

On-call employees may be eligible to participate in health insurance program benefits (see Policy 3050 Insurance Benefits), or as otherwise required by law. Employees can be removed from the on-call list at any time with or without cause or prior notice.

V. REINSTATED/REHIRED EMPLOYEES

A reinstated employee is an employee who is rehired to the same position within thirty (30) calendar days from the employee's last separation date. The reinstatement of an employee is at the discretion of the Agency. If reinstatement is approved, the employee will be reinstated with their original date of hire and last rate of pay. For the purposes of benefits that accrue, entitlement will be restored to original hire date. Director and higher-level reinstatements must have ~~Human Resources Director/Officer~~Human Resources Office approval. A reinstated employee may enroll in other benefits based upon eligibility consistent with these policies and as required by law.

VI. ~~REHIRED EMPLOYEES~~

~~A rehired employee is an employee who is rehired following a break in service in excess of more than thirty (30) days from the employee's last separation date, for other than an approved leave of absence. Director and higher level rehires must have Human Resources Director/Officer approval.~~ A rehired employee who has separated employment for more than after 30 days is considered a new employee from the effective date of their re-employment for all purposes, including benefit eligibility except Paid Sick Leave (See Policy 3040, Paid Sick Leave).

VII. SENIORITY DATE

Seniority date is defined as the date of hire or rehire date, whichever is later.

VIII. EXEMPT/NON-EXEMPT EMPLOYEES

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Exempt employees, by definition, are exempt from earning overtime compensation (see Policy 1080, Determination of Exempt and Non-exempt Status). Non-exempt employees are all those who are eligible to be paid for overtime work in accordance with the provisions of applicable wage and hour laws (see Policy 2010, Pay Procedures).

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POLICY 1080 DETERMINATION OF EXEMPT AND NON-EXEMPT STATUS

PURPOSE: To establish a policy governing the determination of exempt and non-exempt employees.

POLICY: For ~~the purpose of~~ salary administration and labor law compliance, it is the policy of Fresno EOC, to classify employees as either exempt or non-exempt on the basis of whether the jobs to which they are assigned meet the tests for the executive/managerial, administrative, professional, computer professional, or outside salesperson exemptions as outlined below.

REFERENCE: California Industrial Welfare Commission Orders 4, 5, and 9. Fair Labor Standards Act, as amended.

PROCEDURES:

I. DEFINITIONS

A. Non-exempt: The term “non-exempt employee” means an employee is covered by overtime provisions of the California wage and hour laws or the Federal Fair Labor Standards Act. Employees in this category shall not be employed more than eight hours in any workday or more than 40 hours in any workweek unless they receive one and one-half times their regular rate of pay for all hours worked over eight hours in any workday and over 40 hours in the workweek. Eight hours of labor constitutes a day's work, and employment beyond eight hours in any workday or more than six days in any workweek requires the employee to be compensated for the overtime at not less than: (1) One and one-half times the employee's regular rate of pay for all hours worked in excess of eight hours up to and including 12 hours in any workday, and for the first eight hours worked on the seventh consecutive day of work in a workweek; and (2) Double the employee's regular rate of pay for all hours worked in excess of 12 hours in any workday and for all hours worked in excess of eight on the seventh consecutive day of work in a workweek. ~~are entitled to overtime pay for work in excess of eight (8) hours in a single workday or forty (40) hours in one workweek.~~ Employees are also entitled to rest periods and meal periods under California wage and hour laws and/or the Federal Fair Labor Standards Act. Such employees include, but are not limited to, those listed in California's Industrial Welfare Commission Orders 4, 5, and 9 (see Policy 2010, Pay Procedures).

B. Exempt: The term “exempt employee” means that employees are exempt from the overtime, meal period, and rest period provisions of the California wage and hour laws or the Federal Fair Labor Standards Act. Such employees include employees who meet the criteria for certain exemptions and/or qualify as exempt including the executive/managerial, administrative, professional, computer professional, or outside salesperson exemptions. Exempt employees are expected to fulfill their job responsibilities and to work their regular working hours (ex. standard operating hours 8:30-5pm) and as otherwise required to fulfill the position duties. Anything outside of the standard operating hours of work should be communicated to direct supervisor and reporting staff as it may affect the operations of the program/department. As an exempt employee your salary won't be deducted unless you are

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absent for one or more full days from work for personal reasons (other than sickness or disability) and for absences of one or more full days occasioned by sickness or disability if the deduction is made from a bona fide plan, practice, or policy of providing compensation for such sickness or disability.

1. Executive/Managerial Exemption: Managerial or executive employees are those who manage all or part of an organization and supervise other employees. An employee qualifies for the executive exemption from overtime when the following conditions are met:
 - The primary duties and responsibilities must be management of the organization, or of a customarily recognized office or subdivision;
 - In most cases, the employee must customarily and regularly direct the work of at least two or more other employees therein;
 - The employee must have the authority to hire and fire, or whose suggestions and recommendations as to the hiring or firing and as to the advancement and promotion or any other change of status of other employees will be given particular weight;
 - The employee must customarily and regularly exercise discretion and independent judgment;
 - The employee must spend more than 50 percent of working hours performing managerial tasks. Exempt duties include interviewing, selecting, and training employees; setting pay rates and work hours, evaluating employees' performance, handling workers' complaints, disciplining employees, planning and distributing work, deciding on types of work materials and supplies to be used and providing for the safety of employees; and
 - The employee's monthly compensation is not less than two times the state minimum wage for full time employment or meets federal exempt status requirements.

2. Administrative Exemption: An employee qualifies for the administrative exemption from overtime when the following conditions are met:
 - Customarily and regularly exercises discretion and independent judgment in the performance of "intellectual" work which, in the context of an administrative function, is office or non-manual work directly related to management policies or the general business operations of the Agency, and regularly and directly assists an exempt administrator, or performs under only general supervision, work along specialized or technical lines requiring special training, experience or knowledge, or executes special assignments and tasks under only general supervision;
 - Devotes more than 50 percent of work time to the activities described above; and

- The employee's monthly compensation is not less than two times the state minimum wage for full time employment or meets federal exempt status requirements.

Three types of administrative employees may qualify for an exemption if they meet one of the following ~~Human Resources~~ Resources:

- Executive assistants or administrative assistants to whom executives or high-level administrators have delegated part of their discretionary powers may have enough authority to qualify for the administrative exemption.
- Staff employees, who are functional rather than department heads.
- Employees who perform special assignments under only general supervision may qualify for the administrative exemption. These include many who work away from the premises.

3. Professional Exemption: An employee qualifies for the professional exemption from overtime when the following conditions are met:

- The employee is engaged in work which is primarily intellectual, managerial or creative, and which requires exercise of discretion and independent judgment;
- The employee is engaged in a learned profession where the educational requirement for the job is very advanced, meaning that the employee must have a degree or certificate requiring at least one year of specialized study in addition to completion of a four-year college course. The employee's work is of such a nature that its product cannot be standardized with respect to time and the employee has control over hours of work;
- The employee is licensed or certified by the State of California in one of the following nine professions: law, medicine, dentistry, pharmacy, optometry, architecture, engineering, teaching or accounting. Registered nurses are not considered to be exempt professional employees unless they individually meet the administrative, executive or professional criteria described in the wage order; and
- The employee's monthly compensation is not less than two times the state minimum wage for full time employment or meets federal exempt status requirements.

4. Computer Professional Exemption: An employee qualifies for the computer professional exemption from overtime when the following conditions are met:

- The employee is primarily engaged in work that is intellectual or creative;
- The employee is primarily engaged in work that requires the exercise of discretion and independent judgment;

- The employee is primarily engaged in duties that consist of one or more of the following:
 - Applying systems analysis techniques and procedures, including consulting with users, to determine hardware, software, or system functional specifications;
 - Designing, developing, documenting, analyzing, creating, testing, or modifying computer systems or programs, including prototypes, based on and related to user or system design specifications;
 - Documenting, testing, creating, or modifying computer programs related to the design of software or hardware for computer operating systems. The employee is highly skilled and proficient in the theoretical and practical application of highly specialized information to computer systems analysis, programming, and software engineering; and
 - The employee is paid at least the minimum hourly rate set annually by the state.
5. Outside Sales Exemption: An employee qualifies for the outside sales exemption from overtime when the following conditions are met:
- They are 18 years of age or older; and
 - The employee spends more than 50 percent of all work time away from the place of business, selling tangible or intangible items, or obtaining orders or contracts for products, services, or use of facilities.

II. SALARY BASIS

All non-exempt employees are paid on an hourly basis. Exempt employees are paid a salary on a bi-weekly basis regardless of the quality or quantity of hours worked. Exempt employees may not be docked pay for the following reasons:

- Violating an Agency policy unless it is a violation of a safety rule of major significance.
- Serving on a jury if they perform any work during a week in which they serve.
- Absences of less than a day.

Subject to the exceptions below, an exempt employee must receive full salary for any week in which any work is performed without regard to the number of days or hours worked. However, an employee need not be paid for any workweek in which no work is performed.

- Deductions may be made when the employee is absent from work for a full day or more for personal reasons, other than sickness or accident.
- Suspension as a result of disciplinary action for violating agency policy.
- Deductions may be made for absences of a day or more occasioned by sickness or disability if the deduction is made in accordance with the sick time policy which provides for loss of compensation occasioned by both sickness and

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disability. Deductions may be made before an employee has qualified under the plan and after an employee's leave balance has been exhausted.

- Deductions may be made for hours taken as intermittent or reduced Family Medical Leave Act/California Family Rights Act (FMLA/CFRA) leave.
- Offsetting may be made for amounts received as jury or witness fees, or for military pay.

III. TEMPORARY ASSIGNMENTS AND EXEMPTION

An employee who does not perform exempt duties on a regular basis will not be exempt for a temporary assignment unless the employee works the exempt job and meets the duties and remuneration tests for at least one month. Employees who are in training for an exempt position are not exempt unless they actually are performing the duties of the exempt position.

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POLICY 1090 RECRUITMENT, SELECTION, AND EMPLOYMENT

PURPOSE: To describe the procedure for recruiting and selecting employees for vacant positions at Fresno EOC and to confirm the responsibility of the ~~Human Resources Department~~ Human Resources Office with respect to recruitment, selection, placement, and employment.

POLICY: It is the policy of Fresno EOC to be an equal opportunity employer and to select individuals for employment upon the basis of their qualifications and the ability to perform the job to be filled. Persons applying for positions with Fresno EOC will be considered without regard to race (including traits historically associated with race including but not limited to hair texture and protective hairstyles), color, sex, religious creed (including all aspects of religious beliefs, observances or practices, including but not limited to religious dress or grooming practices), gender (including but not limited to gender identity and gender expression), marital status, registered domestic partner status, age, national origin or ancestry (including but not limited to language use restrictions and possession of a driver's license issued to persons unable to prove their presence in the United States as authorized under federal law), citizenship status, physical or mental disability (except when physical fitness is a valid occupational qualification), medical condition (including but not limited to genetic characteristics, HIV, AIDS, or cancer or a history of cancer), genetic information, sexual orientation, reproductive health decision-making (including, but not limited to, a decision to use or access a particular drug, device, product, or medical service for reproductive health), military and veteran status, taking or requesting to take protected leave(s), engaging in protected activity outside of work (including, but not limited to, lawful use of cannabis off the job and away from the workplace, except as limited by law), race, color, ethnicity, national origin, ancestry, sex, pregnancy (including childbirth and related medical conditions), religion, creed, religious dress and grooming practices, age, physical or mental disability, medical condition, marital status, sexual preference, sexual orientation, gender identity, gender expression, reproductive health decision making, genetic information, sex stereotype, transgender, transitioning or perceived to be, citizenship status, military or veteran's status, primary language, activities and status as a victim of domestic violence, assault or stalking or because of a person's relationship or association with members of a protected group or associations with organizations established for the preservation of rights protected under the law. Fresno EOC is committed to effective recruitment and hiring of a diverse workforce.

REFERENCE: Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e et seq.), the Age Discrimination in Employment Act of 1967 (29 U.S.C. § 621 et seq.), the Immigration Reform and Control Act of 1986, Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.), the Rehabilitation Act of 1973 (29 U.S.C. §§ 793 et seq.), the Vietnam Era Veterans' Readjustment Assistance Act and Uniformed Service Employment and Reemployment Rights Act of 1994 (38 U.S.C. §§ 4211 et seq., 4301 et seq.), the Federal Family and Medical Leave Act of 1993 (29 U.S.C. § 2615), the Equal Pay Act of 1963, the Fair Employment and Housing Act (Gov. Code § 12900 et. Seq.), California Labor Code § 1102.1, Title II of the Genetic Information Nondiscrimination Act of 2008, GINA, California AB 887, California SB 600, California SB 358, California AB 987, Gender Nondiscrimination Act, California Fair Pay Act (SB 358), Fair Credit Reporting Act, AB1008, CA Pay Transparency Act (SB1162).

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PROCEDURES:

I. RECRUITMENT

A. General: ~~Agency programs have the primary responsibility of overseeing the recruitment process.~~ The ~~Human Resources Department~~Human Resources Office is responsible for maintaining the application tracking system. The ~~Human Resources Department~~Human Resources Office ~~may assist~~will assist programs with guiding the hiring process.

B. Personnel Requisition: ~~Requisitions~~ for additions or replacements to the workforce must be generated by the ~~hiring manager supervisor~~ in the applicant tracking system and approved by the next level of management, director as required, and the ~~Human Resources Department~~Human Resources Office.

C. Internal/External Recruitment: The ~~Human Resources Department~~Human Resources Office ~~facilitates access to the applicant tracking system.~~ ~~The hiring program~~ will be responsible for the determination of who meets the minimum requirements per the approved job description. Also, to the extent possible, the Agency's commitment to diversity should be an important factor in determining whether to recruit externally and assessing a candidate's consideration for interview. The Agency deliberately seeks diverse groups of people and promotes a diverse workforce. Fresno EOC will establish outreach programs for applicants experiencing poverty.

1. Fresno EOC supports a policy of making opportunities available for employees to advance within Fresno EOC through the use of an internal job posting system. Fresno EOC will try to fill job openings above entry level by promotion from within when a qualified internal candidate exists (see Policy 1120, Transfers and Promotions). However, when there is not a ~~sufficient~~strong pool of qualified internal applicants, Fresno EOC will seek qualified external applicants. In addition, Fresno EOC will give consideration to any known qualified applicant(s) who are on layoff status before recruiting applicants from outside the organization (see Policy ~~70670~~70, Layoffs). Fresno EOC maintains sole discretion of all personnel decisions. Veterans will be given preference when filling job openings with qualified external applicants. Veterans must provide documents of veteran status at the time of interview to be given preference. If no documents are provided at the time of interview, no preference will be given.
2. Job announcements of open positions will be placed on the Fresno EOC Intranet and/or distributed and posted on Fresno EOC official boards and will include such information as job title, pay grade, job description, qualification requirements. Requisitions will include anticipated pay ranges, which will generally be posted from beginning to mid-range of the pay grade. Job posts will be advertised for at least three days and generally no more than two weeks. Employees who believe they are qualified for the position must apply to be considered. The employee may or may not be interviewed for the position.

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3. In addition to seeking job candidates internally, external recruitment may also be required to ensure a strong pool of qualified applicants. Along with the posting to Fresno EOC's website, the following referral sources may be used to obtain new employees: (a) employee referrals, (b) nonprofit and state agencies, (c) government employment services, (d) schools, and (e) other organizations and resources as may be deemed necessary to reach the appropriate labor market and to attract qualified applicants.
4. During the recruitment, interviewing, and hiring process, no statement should be made promising permanent or guaranteed employment; and no document should be called a contract unless, in fact, a written employment contract is to be used and authorized by the Chief Executive Officer.

D. Application Process: When applicants are considered for job openings, the following procedures should be followed:

1. Any applicant for employment must complete an employment application online ~~in order~~ to be considered for employment. Applications for all open positions will be accepted by the applicant tracking system until the filing deadline.
2. The ~~Human Resources Department~~Human Resources Office will consider requests for reasonable accommodation of disabilities and religious beliefs and will determine what, if any, accommodations will be made for the application process.
3. The ~~hiring program and/or Human Resources Department~~Human Resources Office will screen the applications to determine whether applicants meet the minimum requirements as set forth in the job description. All applicants must meet the minimum qualifications with or without reasonable accommodation, for the position to be considered for interview. ~~The hiring program or Human~~The Human Resources Office may conduct a phone interview. The ~~program~~Human Resources Office will schedule interviews and may request any supporting documents required for the position at that time.

If the applicant does not provide the required documentation within the time designated, they will not be considered as an applicant ~~who has not met the minimum qualifications of the position and~~ and will not be eligible to proceed with ante interview.

II. SELECTION

A. Interview Process

1. Panel Interview: Selected applicants who meet the minimum requirements for an open position may be invited to meet with a designated interview panel. Interview panels should contain a minimum of three interviewers. This panel will interview, evaluate, and rank the order of eligible candidates. One or more

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interviews may be conducted with applicants to determine suitability for employment, depending upon the level of the position. When applicable, subsequent interviews may consist of internal/external content area experts from a variety of fields related to services offered within the program.

2. Rating sheet: The rating sheets are not the sole criteria in determining the best candidate for the position. Other factors as described in items B-D below may contribute to the final decision.
3. Panelists: All interview panel members, internal or external, must attend interview process training prior to participating in interviews. This training is conducted by the ~~Human Resources Department~~Human Resources Office to inform interviewers of their responsibilities in conducting a fair, equitable, and legal interview process.

III. EMPLOYMENT

A. Offer of Employment: The ~~Human Resources Department~~Human Resources Office will make a verbal job offer based upon final selection from the hiring program. The offer of employment will include the job title, pay rate, employment status (temporary, regular, part-time, etc.), and employment date and any other information required by law. The offer of employment and continued employment may be contingent upon the satisfactory completion of employment requirements including, but not limited to: reference checks, fingerprint clearance, criminal background checks, investigations, verifications, tuberculosis screening, physicals, and drug and alcohol testing. The ~~Human Resources Department~~Human Resources Office is responsible for generating the official written offer of employment following satisfactory completion of employment requirements.

When the offer is made to an internal applicant, the hiring program and the applicant's supervisor are responsible for determining the start date which should align with the Agency's New Hire Orientation schedule.

Due to State licensing requirements, certain positions may require individuals offered employment to be fingerprinted and have such records filed with the State Department of Social Services before beginning work with Fresno EOC. Fresno EOC shall bear the cost of filing with the State. The fingerprinting information will be maintained in a confidential manner for use by Fresno EOC and will not be utilized or forwarded to any other individuals, employers, or employment placement agencies.

If the background, medical, or any other subsequent investigation discloses any misrepresentation on the employment application or information indicating that the individual is not suited for employment with Fresno EOC, the applicant will be refused employment, or, if already employed, may be terminated. If the background and/or credit check of the applicant results in a refusal to hire, termination, or other adverse employment action, the applicant will be notified as identified in section II-(d) herein.

IV. POST OFFER/PRE-EMPLOYMENT

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A. Reference Checks: All employment is subject to the receipt of two (2) acceptable references. The Reference Check form will serve as a guide to those areas which generally warrant verification and investigation. The following sources of pre-employment reference will be used whenever possible and appropriate: (1) previous employers, (2) business references, (3) personal references, (4) educational institutions attended, and any other references deemed appropriate for the position. A recommendation letter may be accepted in lieu of a reference check. It is important that backgrounds in employment and education, if necessary, be verified. The hiring program will conduct reference checks, unless otherwise designated.

B. Pre-Employment Tests: Employment tests which measure the knowledge, skills, and abilities needed to perform a job may be necessary to evaluate an applicant's qualifications. For example, typing, computer skills, and physical skills tests may be used, provided they are designed for the purpose of testing the essential job functions. In most cases, these tests will be arranged or conducted by the ~~Human Resources Department~~Human Resources Office.

C. Background Checks: Background checks will be conducted on job applicants applying for positions involving security, confidentiality, financial responsibility, or as required by law. Fresno EOC will use a third-party agency to conduct background checks. The type of information that can be collected by this agency includes, but is not limited to an individual's past employment, education, character, criminal records, and credit checks as permitted by law, etc. This process is conducted to verify the accuracy of the information provided by the applicant. Fresno EOC will ensure that all background checks are held in compliance with all federal and state statutes.

Fresno EOC will notify the job applicant, in writing, that it is conducting a background check, provide the name of the third-party agency conducting the background check, identify the purpose of the background check, and identify that the background check may contain information on the applicant's character, general reputation, personal characteristics, and mode of living. Additionally, applicants will be given a pre-disclosure form on which they may check a box indicating a wish to receive a copy of any investigative report prepared regarding them. If the box is checked, the company performing the background check will send a copy of the report to the applicant.

The copy must contain the name, address, and telephone number of the person who issued the report and how to contact that person and, if adverse action is taken based on the report, the name of the investigative consumer reporting agency. In addition, if Fresno EOC conducts a credit check on an applicant and uses the information obtained as the basis for an adverse employment decision (e.g. refusal to hire), Fresno EOC must disclose to the applicant that its action was based on the credit report and the information contained in that report. Fresno EOC will provide notice to the applicant that they have the right to dispute the accuracy or completeness of any of the information in the report.

E. Final Selection: A review and analysis of the application form, interview, and reference check should provide sufficient information to assess and make the final selection of the best qualified applicant. If an applicant is rejected on the basis of reference information, the reference source and information provided will be kept confidential.

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E. Email Notification: The Human Resources Office will make every effort to keep applicants and hiring manager ~~will make every effort to keep the applicants~~ informed of their status ~~throughout the~~status throughout the process.

F. Fairness: Fresno EOC has a zero-tolerance policy against employees suspected of or showing prejudiced behaviors and/or actions contrary to Fresno EOC's Diversity and EEO policies. Such employees will not be able to participate in the recruitment and selection process until they have attended a diversity-related training program. Fresno EOC will under no circumstances tolerate the misrepresentation of its Diversity Policy in the form of prejudiced employee behavior.

Behaviors and/or actions by employees that violate Fresno EOC policies and procedures are subject to ~~corrective action~~disciplinary action, up to and including termination.

V. NON-COMPETITIVE SELECTION

In certain circumstances, the CEO may appoint a person to a position so long as they meet the minimum qualifications of the job and followed the application and interview process.

VI. PERSONNEL PROCEDURES RELATING TO HEAD START 0 TO 5

The following personnel procedures relate to the hiring of Head Start 0 to 5 personnel and are meant to supplement the Fresno EOC's Personnel Policies & Procedure Manual. These provisions are based on Federal mandates of the Office of Head Start Program.

A. Recruitment: The Head Start 0 to 5 County-Wide Personnel Committee (hereafter CWPC) is responsible for reviewing and approving all changes to Head Start 0 to 5 job descriptions initiated by program staff and/or Human Resources.

Head Start 0 to 5 recruits for employees in a variety of ways. Job Fairs are held as needed and individual job positions are posted throughout the year. Recruitment efforts will be designed to reach out to all areas of our community consistent with the agency's commitment to diversity. Initial screening of applicants is completed by Head Start 0 to 5 staff. Those applicants meeting the minimum job requirements are eligible for an interview.

B. Selection: Once all applicants are screened, an interview is scheduled for those that meet the minimum qualifications. More than one interview may be required, when deemed necessary. Interviews are scheduled by the appropriate Head Start 0 to 5 program staff with assistance of the ~~Human Resources Department~~Human Resources Office. The interview panel ~~may consist of~~will be conducted by parents and staff. The Administrative Assistant/Education Liaison or other designated staff will facilitate the interviews. The interview panel will make a recommendation to the CWPC for hiring once interviews are completed. ~~In the event that~~If a parent cannot be present during the interview, the panel will proceed with the interviews and the recommendation for hire(s) will be presented to the CWPC for approval or as an informational item.

In compliance with the Head Start Act of 2007, the CWPC is to be informed of the employment of program staff. Once hiring recommendations have been approved, all hires must pass fingerprint clearances as outlined in California regulation and a National Sex Offender Registry check. Clearances must be obtained prior to employment. In addition, the CWPC is also responsible for participating in the hiring and termination of key program staff (i.e., Chief Executive Officer, Chief Financial Officer, Chief Program Officer, [Chief People and Culture Officer](#), Chief Administrative Officer and Head Start 0 to 5 Director).

In filling the position of the Head Start 0 to 5 Director, representatives from the CWPC, Fresno EOC Board and other Fresno EOC programs may participate in the interview process. When applicable, subsequent interviews may consist of internal/external content area experts from a variety of fields related to services offered in the Head Start 0 to 5 program. Upon approval of the Chief Executive Officer, the application and recruitment information will be forwarded to the Head Start Regional Office for review and recommendation.

If an acceptable applicant is not selected, the entire process, as outlined above, will start over.

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POLICY 1100 INTERNSHIP AND VOLUNTEER PROGRAMS

PURPOSE: To describe the procedure for recruiting and selecting interns for programs that utilize internships through local colleges, universities, vocational schools, and other established groups.

POLICY: It is the policy of Fresno EOC, as an equal opportunity employer, to select individuals for internships solely upon the basis of their qualifications and ability to perform the internship to be filled. Persons applying for internships with Fresno EOC will be considered without regard to race (including traits historically associated with race including but not limited to hair texture and protective hairstyles), color, sex, religious creed (including all aspects of religious beliefs, observances or practices, including but not limited to religious dress or grooming practices), gender (including but not limited to gender identity and gender expression), marital status, registered domestic partner status, age, national origin or ancestry (including but not limited to language use restrictions and possession of a driver's license issued to persons unable to prove their presence in the United States as authorized under federal law), citizenship status, physical or mental disability (except when physical fitness is a valid occupational qualification), medical condition (including but not limited to genetic characteristics, HIV, AIDS, or cancer or a history of cancer), genetic information, sexual orientation, reproductive health decision-making (including, but not limited to, a decision to use or access a particular drug, device, product, or medical service for reproductive health), military and veteran status, taking or requesting to take protected leave(s), engaging in protected activity outside of work (including, but not limited to, lawful use of cannabis off the job and away from the workplace, except as limited by law), race, color, ethnicity, national origin, ancestry, sex, pregnancy (including childbirth and related medical conditions), religion, creed, religious dress and grooming practices, age, physical or mental disability, medical condition, marital status, sexual preference, sexual orientation, gender identity, gender expression, sex stereotype, transgender, transitioning or perceived to be, reproductive health decision making, genetic information, citizenship status, military or veteran's status, primary language, activities and status as a victim of domestic violence, assault or stalking or because of a person's relationship or association with members of a protected group or associations with organizations established for the preservation of rights protected under the law, or for any other reason prohibited by law or regulation and not work related.

REFERENCE: Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e et seq.), the Age Discrimination in Employment Act of 1967 (29 U.S.C. § 621 et seq.), the Immigration Reform and Control Act of 1986, Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.), the Rehabilitation Act of 1973 (29 U.S.C. §§ 793 et seq.), the Vietnam Era Veterans' Readjustment Assistance Act and Uniformed Service Employment and Reemployment Rights Act of 1994 (38 U.S.C. §§ 4211 et seq., 4301 et seq.), the Federal Family and Medical Leave Act of 1993 (29 U.S.C. § 2615), the Equal Pay Act of 1963, the Fair Employment and Housing Act (Gov. Code § 12900 et. seq.), California Labor Code § 1102.1, Title II of the Genetic Information Nondiscrimination Act of 2008, GINA, California AB 887, California SB 600, California SB 358, California AB 987, Gender Nondiscrimination Act, California Fair Pay Act (SB 358), Fair Labor Standards Act.

PROCEDURES:

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I. INTERNSHIPS

~~Non-Agency Paid/Unpaid~~ Internships: ~~Internships Unpaid internships~~ must ~~be in compliance~~ comply with the Fair Labor Standards Act and California wage and hour laws. The ~~Human Resources Department~~ Human Resources Office must be notified in advance of an unpaid internship. All paperwork must be reviewed for compliance and be maintained in the ~~Human Resources Department~~ Human Resources Office. The Agency will work to ensure that underprivileged groups are afforded internship opportunities.

II. VOLUNTEERS

Fresno EOC is committed to involving volunteers directly within the Agency to contribute to the delivery of our services, provide different skills and perspectives, and offer opportunities for participation. A volunteer is a person who freely offers to take part in an enterprise or undertake a task. Volunteering is the practice of a person working on behalf of others to take part in enriching themselves and their communities. Volunteers should have no expectation of compensation or other benefits for their volunteer~~ed~~ time to the Agency.

III. SELECTION

A. Interview: Selected students who meet the minimum requirements for an internship may be invited to meet with a Program Director or designee. This individual will interview and evaluate potential intern candidates. One or more interviews may be conducted with intern candidates to determine suitability for internship. The internship supervisor will conduct the interview process and make a recommendation to the next level of management for final selection.

Volunteers should be interviewed by the program manager/director to ensure fit with the needs of the program.

B. Reference Checks: All interns are subject to the receipt of acceptable references. Reference checks must be conducted prior to the final selection. Referrals from the school requesting the internship are acceptable as a reference.

C. Background Checks: Due to State licensing requirements, certain positions may require individuals offered internships or volunteer opportunities to be fingerprinted and have such records filed with the State Department of Social Services before beginning an internship with Fresno EOC. Fresno EOC shall bear the cost of filing with the State. The fingerprinting information will be maintained in a confidential manner for use by Fresno EOC and will not be utilized or forwarded to any other individuals, employers, or employment placement agencies. If the background check indicates that the individual is not suited for an internship, the internship will not be offered.

D. New Hire Orientation: Interns and volunteers attend New Hire Orientation as necessary.

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POLICY 1110 OUTSIDE EMPLOYMENT

PURPOSE: To define outside employment disclosure requirements.

POLICY: It is the policy of Fresno EOC to provide guidelines for employees who engage in outside employment.

PROCEDURES:

I. 1-DISCLOSURE REQUIREMENT

- Employees are required to disclose any outside employment or business activities to their employer. Employees engaging in outside employment must submit a Conflict of Interest form to the Human Resources Office where a mitigation plan will be developed, if deemed necessary.
- Full transparency helps the employer assess if the outside employment conflicts with the employee's responsibilities.

II. 2-CONFLICT OF INTEREST

- Employees cannot engage in outside work that creates a conflict of interest with their regular duties. This can include:
 - Working for a competitor.
 - Using agency resources, information, or time for outside employment.
 - Engaging in work that compromises the employee's ability to perform their regular job effectively.

III. 3-WORK HOURS AND PERFORMANCE

- The outside employment must not interfere with the employee's performance or availability for their primary job.
- Employees are expected to prioritize their primary job and maintain the required level of performance and attendance.

IV. 4-USE OF AGENCY RESOURCES

- Employees are prohibited from using agency property, tools, or information for outside employment. This includes:
 - Intellectual property.
 - Office supplies and equipment.
 - Confidential information related to the employer.

V. 5-LEGAL AND ETHICAL CONSIDERATIONS

- Outside work should not contradict the agency's mission, vision and values.

VI. 6-APPROVAL PROCESS

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- Fresno EOC requests you inform a supervisor or Human Resources Office before engaging in outside employment.
- The Agency may deny approval if a potential conflict of interest or impact on work performance is identified.

VII. ~~7-~~DISCIPLINARY ACTIONS

- The policy should clearly state the potential consequences of violating the outside employment rules. This may include:
 - o Warnings.
 - o Suspension or termination of employment if the conflict affects the agency's interests.

~~Employees are required to provide notice prior to commencing outside employment to their supervisor so that Fresno EOC can evaluate whether a conflict exists. New employees should notify their supervisor of other employment upon hire. Employees may engage in any outside employment, including self employment, at the discretion of Fresno EOC, if it does not:~~

- ~~1. Create a conflict of interest;~~
- ~~2. Adversely affect their availability for work;~~
- ~~3. Interfere with the fitness or ability to productively perform their employment with Fresno EOC.~~

Employees who engage in outside employment contrary to the above may be asked to terminate their outside employment or may be subject to ~~corrective action~~disciplinary action, up to and including termination.

POLICY 1120 TRANSFERS AND PROMOTIONS

PURPOSE: To provide guidelines for employee transfers and promotions.

POLICY: It is the policy of Fresno EOC to provide internal employment opportunities to employees through transfers from one job to another within a department, from one department to another, or from one program to another. Fresno EOC endeavors to promote from within and may consider current employees with the necessary qualifications and skills to fill vacancies above the entry level, unless outside recruitment is ~~considered to be~~ in Fresno EOC's best interest.

PROCEDURES:

I. DEFINITIONS

A. Transfers: A request for a voluntary transfer is not automatic and must be consistent with the internal recruitment process (see Policy 1090, Recruitment, Selection, and Employment). A voluntary transfer occurs when an employee requests a transfer from one position to another within the same pay grade, or from a position in one office or program to an equivalent position in another office or program.

Fresno EOC may request that an employee be transferred for the benefit of the Agency pursuant to its at-will employment policy.

A transfer can consist of moving an employee from one work location to another at the same pay, pay grade, and hours, and within the same program.

B. Promotions: A promotion is the advancement from a position in one pay grade to another position in a higher pay grade and involves a change in job duties and a distinct increase in job responsibilities. All employees are encouraged to seek advancement opportunities and to obtain promotion and career guidance from their supervisor, program manager/director, and/or the ~~Human Resources Department~~ Human Resources Office. No candidate shall be advanced solely based on being from an underprivileged or underrepresented group.

C. Temporary Assignments and Transfers: Management reserves the right to make temporary assignments or transfers pursuant to its at-will employment policy. A temporary assignment or transfer may include the following: (1) a short duration assignment or where cross-training is involved, (2) a temporary transfer within an office or small work unit, (3) a transfer where it is necessary to accommodate an employee requesting a temporary transfer to an alternative position due to pregnancy or to allow intermittent or reduced schedule leave allowed under the Family and Medical Leave Act (FMLA) ~~and/or~~ Workers Compensation Restrictions or (4) where necessary to accommodate an employee requesting reasonable accommodation under the Americans with Disabilities Act or California Fair Employment and Housing Act.

II. ELIGIBILITY

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To be eligible for a voluntary transfer or promotion, employees must meet the requirements of the new position, and have a satisfactory performance record.

The hiring manager recruiting to fill the vacancy should communicate with the employee's current supervisor to discuss attendance, performance and conduct of the employee as a part of the reference process. The hiring manager will also coordinate the start date with the current supervisor to establish a transition period prior to the employee leaving their program.

III. APPLICATION PROCESS

A. Job Postings: Job openings within Fresno EOC will be posted on Fresno EOC official boards (see Section I (C) of Policy 1090, Recruitment, Selection, and Employment).

B. Application Request: The employee must complete and submit an online employment application to the ~~Human Resources Department~~ Human Resources Office. Applications based on posted job openings must comply with the procedures described (see Section I (C) of Policy 1090, Recruitment, Selection, and Employment). Employees who meet the minimum requirements may apply for the position (see Section II (A) of Policy 1090, Recruitment, Selection and Employment).

POLICY 1130 NEW EMPLOYEE ORIENTATION

PURPOSE: To facilitate the new employee's introduction to Fresno EOC and to ensure that all new employees, including interns, are adequately oriented in the organizational mission, vision, and structure; benefits; performance expectations; rules of conduct; job safety; and policies and procedures.

POLICY: It is the policy of Fresno EOC to provide orientation to a new employee as the final step in the hiring process. Employees, interns, and volunteers are required to attend new hire orientation on their scheduled first day of employment. should be made to feel welcome and a part of the Agency from the very first day on the job by attending orientation as required.

REFERENCE: The Immigration Reform and Control Act of 1986 (IRCA) Pub. L. 99-603, Immigration Act of 1990 Pub. L. 101-649, Sec. 535(a), Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) Pub. L. 104-208, Div C, 110 Stat. 3009

PROCEDURES:

During the orientation process, each employee will receive an introduction that covers the history and operation of Fresno EOC, mission, vision, values, personnel policies and procedures, benefits, safety, etc. and the new job. Employees, interns, and volunteers (as required) must attend an orientation session. The responsibility for new employee orientation is shared by the ~~Human Resources Department~~Human Resources Office and the individual's supervisor as outlined in section I and II of this policy. The specific items of information to be covered by each are outlined below.

I. ~~HUMAN RESOURCES DEPARTMENT~~HUMAN RESOURCES OFFICE

New employee orientations are scheduled by the ~~Human Resources Department~~Human Resources Office. New employees are required to attend an orientation on their first day of within two weeks of employment. It is important that orientation be conducted by the ~~Human Resources Department~~Human Resources Office to ensure that employment eligibility requirements are met, paperwork is completed properly and timely, questions answered, and consistency is maintained.

The ~~Human Resources Department~~Human Resources Office will convey information in the following areas:

- A. Introduction
 - 1. Welcome to Fresno EOC
 - 2. Mission, Vision and Values
 - 3. History and overview of Fresno EOC
 - 4. Leadership Team
- B. Expectations, Rules & Procedures

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1. Personnel Policies & Procedures
2. Performance Expectations & Evaluations
3. Alcohol/Drug-Free Workplace Policy
4. Diversity Policy and Policy Against Harassment
5. Requirement to Report Suspected Child Abuse
6. [Workplace Violence Prevention](#), Domestic Violence, Sexual Assault or Stalking
Victim Leave

C. Pay Procedures

1. Pay schedule & distribution of paychecks
2. Deductions & direct deposit

D. Safety

1. Reporting work injuries
2. Injury and Illness Prevention Program & Safety [Procedures Handbook](#)
3. Agreement to abide by safety rules

E. Employee Benefits (based on eligibility)

1. Health and Wellness Benefits
2. Group Life and Accidental Death & Dismemberment Insurance
3. Retirement plan summary description
4. 403(b) retirement information (voluntary)
5. Holidays/Vacation/Sick time

F. Required Forms

1. Withholding Allowance Certificate (W-4)
2. Employment Eligibility Verification - Form I-9
 - a. Employees must complete and sign Section 1 of Form I-9 no later than the first day of employment, but not before accepting a job offer.
 - b. Employees must submit acceptable documentation within three (3) business days from date of hire to establish identity and authorization to work in the United States as required by USCIS.
3. Personal Information/Employee Orientation Checklist
4. Auto Insurance Declaration, if applicable
5. Personal Vehicle Form
6. Agency Property Agreement, if applicable
7. Acknowledgement of Policies and Procedures
8. Acknowledgement of Requirement to Report Suspected Child Abuse [\(when applicable\)](#)
9. Employee Rights Form

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10. Receipt of Job Description
11. Anti-Harassment and Anti-Discrimination Acknowledgement Form
12. Confidentiality Statement Notice to Employee – Labor Code section 2810.5
13. Branding Guidelines
14. Receipt of Policy 1040 Discrimination/Harassment/Retaliation Complaint and Prevention Policy
15. Disability insurance and Paid Family Leave Information Pamphlet
16. Sexual Harassment Fact Sheet
17. Domestic Violence Leave Notice
- ~~18. Paid Family Leave Pamphlet~~

Employees may also find this information on the agency's intranet.

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II. DEPARTMENTAL/PROGRAM ORIENTATION

It is the supervisor's responsibility to conduct the following general departmental orientation and evaluation activities for a new employee:

A. First Day

1. Review job description with new employee.
2. Provide tour of the department/program
3. Provide instructions pertaining to the job that may be necessary for getting started.
4. Discuss hours of work and attendance requirements.
5. Provide the required safety training and safety equipment.

B. First Week

1. Provide opportunities for regular check-in with the new employee
2. Review performance expectations with new employee.
3. Provide on-the-job training and safety training unique to the area in which the employee is working.

C. During First Three Months

1. Conduct check-ins during the first thirty (30) to sixty (60) days of employment to discuss:
 - a. Hold question-and-answer sessions with employee.
 - b. Discuss the employee's goals for the next evaluation period.
 - c. ~~Attend~~Attending other training(s) as required.
2. Conduct an introductory period ~~midpoint~~ performance review with the employee at three (3) months.

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POLICY 1140 INTRODUCTORY PERIOD

PURPOSE: To define the initial period of employment and evaluation for employees.

POLICY: It is the policy of Fresno EOC for all employees to be subject to an initial introductory period. During this initial period, Fresno EOC will evaluate the employee and job performance.

PROCEDURES:

I. INTRODUCTORY PERIOD

A. New Hires: The introductory period applies to regular full- and part-time employees, commences on the date of hire, and lasts ~~three (3)~~~~six (6)~~ months. During this time, supervisors should carefully observe the performance of the employee and provide constructive feedback. Supervisors should have performance conversations with their employees on a regular basis. A formal evaluation will be conducted at the midpoint and end of the introductory period. Nothing in this section changes or augments the at-will status of an employee, including that employees may resign with or without notice or be discharged with or without notice at any time during or after the introductory period.

B. Reinstatement: An employee ~~that~~ who separates employment and is reinstated within 30 days will retain their status. An employee in introductory status at time of separation will need to work the remaining time in the original ~~three (3) months~~ ~~six (6) month~~ introductory ~~period~~ ~~status~~ to be eligible for regular status (see Policy 1070, Employment Classifications).

C. Rehire: An employee that separates employment and is rehired after 30 days will be subject to a new introductory period (see Policy 1070, Employment Classifications).

II. WRITTEN PERFORMANCE EVALUATION

Supervisors are required to complete a written evaluation of the employee's job performance no later than ~~thirty (30)~~ days from the due date. The evaluation will be forwarded to the ~~Human Resources Department~~Human Resources Office with appropriate signatures for recording and placement in the employee's personnel file.

III. TERMINATION

Failure of an employee to meet acceptable standards of performance and/or conduct during the introductory period may result in termination pursuant to Fresno EOC's At-Will Policy.

A recommendation for termination should be submitted in writing to the program manager/director, and responsible Officer for review. The responsible or designated Officer has discretion and must approve the recommendation prior to termination occurring. The ~~Human Resources Department~~Human Resources Office shall give assurance that all procedures for termination have been followed. Employment with Fresno EOC is a voluntary one and is subject to termination by employees or Fresno EOC at will, with or without cause, and with or without notice, at any time (see Policy 1010, Employment At-Will).

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A transferred or promoted employee who is unable to perform satisfactorily in their new job may, at the discretion of management, be returned to their previous position, if a vacancy exists, or may be terminated.

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POLICY 1150 HOURS OF WORK, REST AND MEAL BREAKS

PURPOSE: To establish general working hours, rest and meal breaks for employees.

POLICY: It is the policy of the Agency to ensure the Agency provides rest and meal breaks in compliance with applicable laws.

REFERENCE: CA Labor Code 233-234, 246.5, 551-552, 556; AB 1522, AB 304, SB 3

PROCEDURES:

I. HOURS OF WORK

The general working hours for Fresno EOC are from 8:30 a.m. to 5:00 p.m., Monday through Friday, except recognized holidays. The general workweek for Fresno EOC employees consists of 37.5/40 hours per week. The workweek begins on Sunday at 12:00 a.m. and ends on Saturday at 11:59 p.m.

II. MEAL BREAK PERIOD

Employee meal break periods are important to productivity and employee health. Employees who work at least five (5) consecutive hours will be provided an unpaid, uninterrupted net 30-minute meal break period. Employees may not take their meal break period later than the end of the fifth hour of work or take a meal break period of less than 30 minutes without prior authorization from their supervisor. For example, an employee who begins working at 8 a.m. must begin their meal break period by 12:59 p.m. If the employee's shift will be completed in no more than six hours, this meal break period may be waived by written mutual agreement of the employee and the Agency. In such instances, the employee must stop working and clock out by the end of the sixth hour and not resume working that workday. Employees are entitled to a second unpaid net 30-minute meal break period if they work 10 or more hours in one workday. The second meal break period may be waived if the employee's shift will be completed in 12 hours and the employee did not waive the first meal break period. The second meal break period must be taken before the end of the 10th hour of work.

<u>Duration of Shift in Hours</u>	<u># of Meal Periods</u>	<u>Comments</u>
<u>0 to < 5.0</u>	<u>0</u>	<u>Employees who work less than five hours in a workday are not provided with a meal period.</u>
<u>≥ 5.0 to < 10.0</u>	<u>1</u>	<u>Employees who work five or more hours in a workday, but who work less than ten hours in a workday are expected to take at least a 30-minute meal period before the start of the 5th hour of work, unless the employees are working six or fewer hours and elect in writing to waive the first meal period.</u>
<u>≥ 10.00 to < 15.0</u>	<u>2</u>	<u>Employees who work ten or more hours in a workday, in addition to their first meal period, are expected to take a second meal period of least a 30-minutes before the start of the 10th hour of work, unless the employees</u>

		<u>are working twelve or fewer hours, and did not waive the first meal period, and elect in writing to waive the second meal period.</u>
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Non-Exempt employees are required to clock-out and clock-in for meal break periods. The meal break period will not be included in the total hours of work per day and is not compensable. Non-exempt employees are to be completely relieved of all job duties while on meal break periods ~~and may leave the premises.~~ Employees not relieved of all duties during meal break periods; not provided a timely meal break period; or who receive a shortened or missed meal break period will receive a penalty payment of one hour of their regular rate of pay for each workday this occurs. Employees must notify their supervisor of any occasion when meal break periods were not provided in accordance with the above policy.

The normal meal break period will be taken between 11:00 a.m. and 2:00 p.m. or may vary depending upon the start time of the workday. Employees are permitted to leave the premises for their meal break periods or they may remain on premises and take the meal period break in designated areas.

III. REST BREAK PERIODS

All non-exempt employees are entitled to rest break periods during their workday, unless exempted by applicable Wage Orders. Non-exempt employees will be paid for all such rest break periods and do not clock out. ~~If an employee works more than six (6) hours in a workday, they will receive one rest break period during the first half of the shift and one rest break period during the second half of the shift. Rest periods are included in the total hours of work per day and are compensable.~~ Unless an employee is otherwise advised by their supervisor, the rest break periods should be taken as close to the middle of each work period as possible. Generally, an employee is entitled to a "net" ~~15 minute~~ 15-minute rest break period for every four (4) hours worked or major fraction thereof and employees are expected to return to work promptly at the end of any rest break period. Employees are relieved of all duties during the rest break periods and may leave the premises. If at any time an employee believes they have not been provided with a rest break period or enough time to make a net 15-minute rest break period, they should report this to their supervisor immediately. Rest break periods may not be combined or added to an employee's meal break period or used to arrive late or leave early. Employees not relieved of all duties during rest break periods; not provided a timely rest break period; or who received a shortened or missed rest break period will receive a penalty payment of one hour of their regular rate of pay for each workday this occurs. Employees must notify their supervisor of any occasion when rest break periods were not provided in accordance with the above policy.

<u>HOURS OF WORK</u>	<u>15-MINUTE REST BREAKS</u>
<u>Less than 3.5</u>	<u>0</u>
<u>3.5 - 6.0</u>	<u>1</u>
<u>>6.0 - 10.0</u>	<u>2</u>
<u>>10.0 - 14.0</u>	<u>3</u>

Employees are prohibited from taking any rest period that is less than 10 minutes.

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Employees are permitted to leave the premises for their rest break periods or they may remain on premises and take the rest break period in designated areas.

Because work schedules may vary for different locations and different classifications of employees, supervisors will be responsible for determining and informing their employees of specific hours, workdays, meal and rest break periods. Additionally, the supervisor may increase or decrease an employee's hours and may require overtime work as it deems necessary or appropriate as permitted by law and as approved by the Director. No off-the-clock or unauthorized work is permitted by Fresno EOC and employees who do so will be compensated for their time but subject to ~~corrective action~~ disciplinary action, up to and including termination.

A non-exempt employee who regularly works thirty (30) or more hours per week cannot be required to work seven (7) consecutive days in the defined workweek.

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POLICY 1160 PUNCTUALITY AND ATTENDANCE

PURPOSE: The purpose of this policy is to set forth the Agency's policy and procedures for handling employee absences and tardiness.

POLICY: As part of our responsibility to our clients, the public, and to other employees, Fresno EOC requires employees to be at work as scheduled, to arrange their personal schedules to accommodate established work hours, and to notify their supervisor prior to but no later than the employee's normal reporting time if they expect to be absent or tardy.

REFERENCE: CA Labor Code 233-234, 246.5, 551-552, 556; AB 1522, AB 304, SB 3

PROCEDURES:

Punctual and regular attendance is an essential responsibility of each employee of the Agency. Regular attendance is important to workplace morale and the successful operations of the Agency. Absences can create a negative impact in the workplace and place strain on other employees. Employees (Exempt and Non-Exempt) are expected to report to work as scheduled, on time and prepared to start working. Employees are also expected to remain at work for their entire work schedule. Late arrival, early departure or other absences from scheduled hours are disruptive and must be avoided.

This policy does not apply to absences covered by Paid Sick Leave (PSL), the Family and Medical Leave Act (FMLA) or leave provided as a reasonable accommodation under the Americans with Disabilities Act (ADA) (see Policy 4010, Family and Medical Leave and California Family Rights Act).

I. ABSENCES & PATTERNS OF ABUSE

An absence is defined as the failure of an employee to report for work when scheduled to work. The two types of absences are defined below:

A. Excused Absence: An excused absence occurs when all the following conditions are met:

- The employee provides their supervisor with sufficient notice two (2) hours before the start of their shift, at least 24 hours in advance of the absence.
- The absence request is approved in advance by the employee's supervisor.

B. Unexcused Absence: An unexcused absence occurs when any of the above conditions are not met. An unexcused absence counts as one occurrence for the purposes of discipline under this policy.

C. Patterns of Abuse: Supervisors should immediately address any patterns of abuse of unprotected sick time and/or unprotected unpaid time. Patterns can be two or more instances. Examples of abuse include, but are not limited to:

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- Leaving after lunch on paydays.
- Calling in sick on days when vacation time was previously denied.
- Extending weekends by regularly calling in sick on Fridays and/or Mondays.
- Extending time off for holidays by calling in sick the day before or after a holiday.

Patterns of abuse count as one occurrence for the purpose of discipline under this policy.

II. INABILITY TO REPORT TO WORK

If it is necessary for an employee to be absent or late for work because of an illness or an emergency, the employee must notify their supervisor no later than the employee's scheduled starting time on that same day. If the employee is unable to call, he or she must have someone make the call.

At the discretion of the Program Director, an emergency outside the employee's control, which occurred before the start of the shift, may be considered as an excused absence/tardy. This may include but is not limited to: acts of ~~mother nature~~natural disasters, ~~motor~~-vehicle accidents, or hospitalization.

V. RESPONSIBILITY

Employees are responsible for working all of their scheduled work hours at the scheduled times. Employees are required to be at their assigned workstation during all work hours, except for scheduled rest and meal break periods. No off-the-clock or unauthorized work is permitted by Fresno EOC.

Employees who are not able to report to work as scheduled, and who do not have prior written authorization to be absent, will be required to contact their supervisor or program manager/director prior to but no later than the normal reporting time or adhere to the location reporting procedure.

Employees who have consecutive days of unscheduled absences must contact their direct supervisors each workday prior to each scheduled shift they are absent unless a provided doctor's note indicates the return-to-work date.

All unscheduled absences and tardies will be considered when evaluating performance.

III. RETURN TO WORK

Employees with ~~three~~five (5) or more consecutive days ~~of of excused absences due to because of~~ illness or injury must provide a release to return to work. However, if the employee has you have already exhausted the annual allotted your annual PSL time, the employee you may be required to provide a medical note after 3 days of absence. If an employee is you are absent for more than five days the employee you may be eligible for protected leave FMLA/CFRA, please contact the Human Resources Office for more information 559-263-1070.

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IV. TARDINESS AND EARLY DEPARTURES

Employees are expected to report to work and return from scheduled breaks on time. If employees cannot report to work as scheduled, they must notify their supervisor no later than their regular starting time. There is a five (5) minute grace period for tardies. This notification does not excuse the tardiness but simply notifies the supervisor that a schedule change may be necessary.

Employees who must leave work before the end of their scheduled shift must notify a supervisor immediately.

Tardiness and early departures are each one-half an occurrence for the purpose of discipline under this policy.

V. EXPECTATIONS FOR EXEMPT EMPLOYEES

Exempt employees are expected to work the number of hours required to successfully complete their job responsibilities, which generally equates to a full-time work schedule. However, due to the nature of exempt positions, employees may need to work more than the regularly scheduled 37.5 to 40 hours per week, depending on the demands of the role. Exempt employees are required to be available during the program's regular business hours to ensure collaboration and communication with colleagues.

- Attendance & Punctuality: Regular attendance and punctuality are required, with absences or lateness reported to managers in advance.
- Remote Work: Remote work is allowed with prior approval, but attendance and performance standards still apply.
- Absenteeism: Frequent, unapproved absences may result in disciplinary action.
- Leave Reporting: Exempt employees must accurately report any time off, such as vacation or sick time.
- Compliance: Non-compliance may lead to disciplinary action or termination.

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DISCIPLINARY ACTION

One occurrence is defined as:

- An unexcused absence per Section I.B. of this policy, or
- A pattern of abuse per Section I.C. of this policy,
- Two (2) tardies or early departures per Section III of this policy

Three (3) or more occurrences in a rolling three (3) month period will result in disciplinary action. If an employee incurs an additional occurrence during the subsequent 60 days, the employee will proceed to the next step of the progressive disciplinary process.

Ten (10) occurrences in a 12-month period is subject to termination.

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VI. PROGRAM-SPECIFIC ATTENDANCE

The Agency recognizes that some programs may require more strict attendance policies based on the needs of serving clients effectively, efficiently and in compliance with funding guidelines. Any program that requires a stricter attendance policy than outlined in Sections I-V above may implement such standards, once meeting the following:

- Reviewing and receiving approval of the plan with the responsible Officer and ~~Human Resources Department~~ Human Resources Office; and
- Ensuring training is provided to all staff subject to the policy prior to implementation; or
- Advising new hires of the program attendance policy during their first week of work.

VII. TIME OFF FOR ABSENCES

Employees that accrue paid time must use paid time for every absence unless otherwise allowed by agency policy (e.g., leave of absence).

VIII. JOB ABANDONMENT

Any employee who fails to report to work for a period of three (3) days or more without notifying their supervisor will be considered to have abandoned the job and voluntarily resigned from the Agency.

POLICY 1170 – LACTATION POLICY

PURPOSE: To inform employees of Fresno EOC's compliance with lactation regulations.

POLICY: It is the policy of Fresno EOC that the Agency will provide sufficient time and space for employees to express breast milk.

REFERENCE: Labor Code 1030-1034, SB142, FLSA

PROCEDURES:

I. REQUEST AND APPROVAL

~~In compliance with Labor Code Section 1030 of the State of California, Fresno EOC will provide reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child each time the employee has a need to express milk. The break time shall, if possible, run concurrently with any break time already provided to the employee. Break time for an employee that does not run concurrently with the rest time authorized for the employee by the applicable wage order of the Industrial Welfare Commission will not be paid. An employee may request accommodation for lactation breaks for up to one year after the child's birth or as long as they are continuing to express milk by submitting a verbal or written request to the employee's supervisor. The supervisor or program management will respond to the employee's request. Should the program not have resources to meet the requirements of the law as outlined below, the program will notify the Human Resources Department/Human Resources Office for assistance in accommodating the request.~~

II. PERIODS FOR EXPRESSING MILK

Fresno EOC provides a reasonable amount of time during a rest break period to accommodate an employee's need to express breast milk for the employee's infant child. When an employee is using break time at work to express breast milk, they must be completely relieved from duty or paid for the break time. This time should run concurrently with scheduled rest break periods if possible. Nonexempt employees must clock out for any lactation breaks that do not run concurrently with normally scheduled rest break periods. Any such rest break periods will be unpaid.

III. REST AREA

Fresno EOC will make a reasonable effort to provide the employee with the use of a room or other location in close proximity to the employee's work area for the employee to express milk in private, free from intrusion of co-workers or the public. 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. This may include the place where the employee normally works if it otherwise meets

628738.3-015313.00001

the requirements. The lactation room or location must be safe, clean, and free from hazardous materials, contain a surface to place a breast pump and personal items, contain 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. Fresno EOC will also provide access to a sink with running water and a refrigerator suitable for storing milk, ~~in close proximity to~~near the employee's workspace.

Fresno EOC 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 Labor Commissioner.

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POLICY 1180 PERSONAL PHONE CALLS AND VISITORS

PURPOSE: To limit employee personal phone calls and visitors during working hours to minimize disruptions in the workplace.

POLICY: It is the policy of Fresno EOC that all personal calls (telephone or cellular) and text messaging (or similar electronic communications) are required to be limited while employees are on duty. All cellphones and other forms of communication devices are required to be kept in silent mode for personal communications/use while employees are on duty. Visitors are discouraged during working hours.

REFERENCES: California Vehicle Code 23123.5

PROCEDURE:

The Agency recognizes that employees will occasionally need to place and receive personal phone calls during the workday. In all cases, personal calls or text messages should be minimal, whether the calls or messages are placed and/or received using an Agency or personal phones unless the employee is receiving a technology stipend and utilizing the phone for business purposes. Long-distance phone calls should not be made from Agency phones. Employees should therefore limit the placing or receiving of personal calls or text messages during working hours to those required only in emergency situations. Receiving and/or placing excessive calls, messages or text messages is disruptive to others. Abuse is subject to discipline following normal Agency procedures. ~~All personal cellular phones and other communication devices are required to be kept in silent mode.~~ Employees should communicate with their supervisor if there are any extenuating circumstances that may need to be temporarily accommodated.

Employees who operate a vehicle during the workday may not use a cellular telephone while driving, except when using a hands-free device as permitted under California law. Text messaging, blogging, emailing, accessing social media, and/or any use of an electronic communication device is prohibited while driving. Under no circumstances are employees allowed to place themselves or others at risk to fulfill business needs. If calls must be made, Fresno EOC encourages employees to pull safely off the road, stop the vehicle and make or receive the call. Safety must come before all other concerns and special care should be taken in situations where there is traffic, inclement weather, or the employee is driving in an unfamiliar area. Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions.

~~In addition, v~~ visitors including, but not limited to family, friends, and non-service animals can be disruptive to the Agency's operations. Fresno EOC strongly discourages such visits during work hours that may create a work distraction. Employees are expected to inform visitors of this policy and will be held accountable for their actions under the Agency's discipline procedure.

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POLICY 1190 DRESS AND GROOMING STANDARDS

PURPOSE: To establish standards of dress and grooming appropriate for the work setting. ~~which would not be perceived as offensive to a reasonable person.~~

POLICY: It is the policy of Fresno EOC that the Agency considers the presentation of its image to the public at large to be extremely important. Employees are always expected to dress in a manner consistent with good hygiene, safety, and good taste. Employees whose jobs require them to come in contact with the public are expected to wear apparel Fresno EOC considers appropriate for interacting with the public.

REFERENCE: California Workplace Religious Freedom Act (2012), CA Government Code. §12926(q), CA Government Code §11010, §11031, §11034, CA AB 987

PROCEDURES:

I. STANDARDS

The personal appearance of employees who have regular contact with the public is governed by the standards described below. Specific offices or programs may have further guidelines.

A. Dress: Employees are expected to dress in a manner that is normally acceptable in similar work environments. The wearing of suggestive, sheer/see-through or offensive attire is prohibited. Athletic clothing, shorts, T-shirts, tank tops, crop tops, or similar items of casual attire are not permitted, as they do not present a business-like appearance. At its discretion, Fresno EOC may allow employees to dress in a more casual fashion than is normally required. On such occasions, employees are still expected to present a neat appearance and are not permitted to wear ripped or disheveled clothing, athletic wear, or similarly inappropriate clothing.

An employee is permitted to groom, dress, or present themselves in a manner consistent with an individual's gender identity or gender expression while meeting the dress and grooming guidelines.

Certain employees may be required to meet special dress, grooming, and/or hygiene standards depending on the nature of their jobs.

The personal appearance of employees who do not regularly meet the public is governed by the requirements of safety and comfort but should still be neat and business-like as working conditions permit.

B. Hair: Hair should be clean and neat, following good hygiene practices. Hairstyles that are natural to some individuals or specific cultural practices should be just as well-groomed and tidy as other styles. Facial hair should be kept neatly trimmed. Hair nets and/or beard masks may be required to be worn when handling food-

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C. Footwear: Adequate footwear is required ~~To~~ reduce the possibility of injury to employees, to ensure protection it is necessary to ensure that all footwear provides adequate protection from workplace hazards, that can occur, to anyone working at Fresno EOC. Shoes should cover the foot as applicable to the work area. Flip-flops or similar casual footwear are prohibited, not acceptable.

D. Hygiene: Employees should maintain good personal hygiene, presentable clothing specific to their position/your role. Perfume and cologne, if worn, should is not be overbearing.

E. Employee ID Badge: All employees are required to wear their designated Identification (ID) badges visibly and prominently while on Agency premises or engaged in Agency-related activities. ID badges should not be shared or transferred to unauthorized individuals. Everyone is responsible for their assigned badge and must report any loss or theft to Human Resources Office. Individuals may temporarily remove their identification badge in situations where it poses a safety concern. Such exceptions may include, but are not limited to, the following:

- Working with machinery or equipment where the badge could pose a risk of entanglement or other physical hazards.
- Engaging in activities that require wearing specialized protective gear, such as high-temperature environments or cleanrooms, where the badge may interfere with safety protocols.
- Participating in activities involving open flames, high-voltage electrical systems, or other hazardous conditions where the badge may increase the risk of injury.
- In areas where food is being prepared and packaged.

• After separation of employment with Fresno EOC, employees are required to return their ID badge to the Human Resources Office.

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II. RESPONSIBILITY

Each program will be responsible for their staff adhering to this policy. Specific offices or programs may have further guidelines due to the nature of the work involved. Questions concerning these guidelines should be referred to the managing supervisor/manager to determine the appropriateness of personal appearance in the program. It is will be the responsibility of the manager or supervisor to communicate such guidelines to the affected employees.

An employee reporting to work dressed inappropriately will be required to comply with the policy. An employee will be sent home without pay for correction of the dress code violation. An employee in violation of this policy may be subject to eorrective action/disciplinary action, up to and including termination.

III. ACCOMODATIONS

Employees requesting accommodations for medical conditions or religious dress and grooming practices should inform their immediate supervisor. Programs should consult with Human Resources to discuss any request. Every effort will be made to accommodate an

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employee's request in accordance with applicable State and Federal laws (see Policy 1020, Equal Employment Opportunity Policy and Policy 1030, Discrimination/Harassment/Retaliation Complaint and Prevention Policy).

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POLICY 1200 AUTOMOBILE INSURANCE AND DRIVER'S LICENSE

PURPOSE: To establish guidelines for employees that are required to drive in the course of their employment.

POLICY: It is the policy of Fresno EOC that employees required to drive in the course of their employment must maintain a valid California Driver's License and automobile insurance. All traffic violations, DUIs, or work-related vehicle accidents must be reported immediately.

REFERENCE: California Insurance Code §11580.1b, California Vehicle Code 16020

PROCEDURES:

I. USE OF VEHICLES

A. Personal Vehicles for Agency Business: The Agency does not provide liability or physical damage insurance for personal vehicles. If an employee is to use a personal vehicle for Agency business, minimum coverage as required by state law for liability, bodily injury, and property damage must be currently in effect. Fresno EOC ~~will reserves the right to~~ request proof of coverage before operating personal vehicles for work at any time (see Accounting Policies and Procedures Manual Section on Agency Travel Procedures). Mileage reimbursement at the IRS rate covers the cost of operation of personal vehicles ~~for~~ agency business, ~~including the cost of insurance~~, and will be reimbursed at the agency approved rate. Employees using their own vehicle for Agency business must submit mileage reimbursement forms by the end of the current quarter by _____.

B. Agency Vehicles: Operators of Agency vehicles must possess a valid California Driver's License applicable to the type of vehicle to be driven. Agency vehicles are to be used for Agency business or activities only, not for personal or non-Agency business. Employees driving for the Agency shall inform the ~~Human Resources Department~~ Human Resources Office immediately if their insurance coverage or ability to legally operate a vehicle changes.

C. All individuals operating private vehicles for ~~agency purposes~~ company use must maintain appropriate insurance coverage as mandated by California state law. This includes, but is not limited to, meeting the minimum liability insurance requirements set forth by the California Department of Motor Vehicles (DMV). Covered by liability insurance for at least the minimum amount prescribed by State Law (e.g., minimum \$15,000 for personal injury to, or death of one person; \$30,000 for injury to, or death of, two or more persons in one accident; \$5,000 property damage). Vehicle Code Section 16020 requires all motorists to carry evidence of current automobile liability insurance in their vehicle.

D. Procedures to Request Use of Agency Vehicles: Employees requesting use of an Agency vehicle must submit a completed and approved "Form" to the Agency's Transit Office in advance of the date of the anticipated activity. This will ensure that the vehicles are available and in good condition. Upon approval, the Agency's Transit Office will issue vehicle keys and provide the driver with a "Driver's Report Sheet", which must be completed and signed by the

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driver. This information is used to maintain the records as required by the California Highway Patrol.

E. Seatbelts: Seatbelts are required to be worn at all times while driving or as a passenger while traveling for agency business, regardless of operating a personal or agency vehicle. Seatbelt extenders may be provided upon request.

II. ACCIDENT REPORTING

All accidents must be reported as outlined in the following procedures regardless of the estimated damage amount. It is important that the operator of the Agency vehicle not make any statements about assuming liability or what the Agency will do in settling the claim.

Procedures for Reporting Accidents Involving an Agency Vehicle:

~~1.~~ 1. When an accident in an Agency vehicle occurs involving injuries or major damage, it should be immediately reported to the police agency having jurisdiction in the area of the accident. ~~As soon as feasible Accidents, it~~ should be reported to the supervisor ~~immediately and to the Agency's Transit who will then obtain and provide necessary information to Office the Human Resources Office. who will obtain the necessary information required by the insurance company.~~

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1.
2. If an accident occurs involving minor damages with no injuries, insurance information must be exchanged between vehicle operators and must include the following information:

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- a. Name
- b. Address
- c. Telephone Number
- d. Driver's License Number and Expiration Date
- e. Name of insurance carrier, agent, and policy number, if known
- f. Make, Model, and License Number of Vehicle

3. Upon receipt of information concerning an accident involving an Agency vehicle, the Supervisor will forward all information to the Agency's insurance representative. A vehicle accident report must be completed.

III. VEHICLE/DRIVER RECORDS

A. Vehicle Roster

The Agency's Transit Office maintains a current list of Agency vehicles and equipment for the purpose of providing routine maintenance. In addition, the Transit Office uses this roster as an inventory list for the purpose of securing insurance coverage on the vehicles and equipment listed.

B. Driver Roster

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The Agency's Transit Office maintains a current list of drivers authorized to operate Agency vehicles. Programs are requested annually to furnish the Transit Office with an updated list of employees authorized to operate an Agency vehicle. The information must include:

- Name
- Driver's License Number and Expiration Date
- State of Issuance
- Date of Birth

The driver roster is forwarded to the Agency's insurance representative. The Agency's Transit Office is notified if the insurance carrier does not approve a driver's record. Drivers must resolve any problems arising out of the DMV review before clearance is granted to operate Agency vehicles.

C. Additional Requirements for Commercial Drivers

Agency drivers must have a Class B (Commercial) driver's license, with the appropriate endorsements, to drive the Agency's 15 passenger vans or buses. The Agency has additional obligations relating to drug/alcohol testing for all Class B drivers, as required by The Department of Transportation (DOT) Omnibus Transportation Employee Testing Act of 1991.

Affected drivers will be notified of specific drug/alcohol testing requirements through the Human Resources Office through their respective programs.

POLICY 2010 PAY PRACTICES

PURPOSE: To establish guidelines for the payment of wages, calculation of overtime, and other types of pay.

POLICY: It is the policy of Fresno EOC to pay employees for hours worked in accordance with legal requirements and to pay employees by check or direct deposit on a regular basis and in a manner so that the amount, method, and timing of wage payments comply with any applicable laws or regulations.

REFERENCE: California Labor Code §§ 204-204(a). California Labor Code §§ 201, 202 and 227.3. IWC Wage Orders Nos. 4-89, 5-89, 9-90. California Labor Code § 204.3, [510](#), [1182.12](#); [AB 1513](#), [SB 3](#).

PROCEDURES:

I. PLACE AND TIME FOR PAYMENT OF WAGES

A. Regular Payday: Employees are paid bi-weekly. If the regular payday occurs on a holiday, employees will be paid on the preceding workday.

Employee time sheets/electronic time records must be completed properly and accurately. The time sheet must reflect all hours worked, overtime hours, vacation or sick time, and any ~~other~~ leaves of absences. All punches will be paid to the minute. ~~No~~ rounding is permitted ~~or~~ will occur. The time sheet/electronic time record must be reviewed with and approved by the employee and supervisor before it is sent to the Payroll Office.

On each payday, employees will receive their paycheck, deposit notice if enrolled in direct deposit, or an e-mail announcement to the employee's designated e-mail account. Checks or deposit notices will be distributed by the employee's immediate supervisor at the employee's work location or mailed to the employee's home if the employee submits a written request for the check to be mailed so that payment is received on the designated pay date. If an employee is absent when a paycheck is distributed, the employee may claim the paycheck when the employee returns unless other distribution/delivery arrangement have been made. Employees who discover an error in their paycheck, lose their paycheck, or have it stolen should notify their supervisor immediately. After proper approval, a paycheck will be reissued within two business days.

Employees should discuss any questions or concerns regarding compensation issues with their immediate supervisor or program director.

B. Payment on Resignation or Termination: If an employee resigns, the final paycheck will be available on the final day of work provided the employee has given at least 72 hours' prior notice. If an employee resigns without 72 hours' notice or fails to return to work, the final paycheck will be made available to the employee no later than 72 hours after the date when an employee is considered to have resigned. If an employee is terminated involuntarily, the final paycheck will be available at the time of discharge or layoff. The employee's final

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paycheck will include payment for all wages due and not previously paid and for accrued but unused vacation time, if eligible, minus authorized deductions.

II. OVERTIME DEFINITION AND RATES OF PAY

A. Regular Overtime Arrangements: All non-exempt employees who work more than eight (8) hours in a single workday or forty (40) hours in one workweek will receive overtime pay computed in accordance with II-B.

B. Exclusions from Overtime Calculations: Only actual hours worked, along with any nondiscretionary payments, are included when calculating an employee's regular rate of pay for overtime. Absences, whether paid or unpaid, such as holidays, vacations, personal leave, or sick time, do not count as hours worked when determining overtime pay. Only those hours that are actually worked and any nondiscretionary payments, are added together to determine an employee's regular rate of pay for overtime calculations. Paid or unpaid absences such as holidays, vacations, and personal or sick time do not count as hours worked in computing overtime payments.

1. Overtime at the rate of one and one-half times the employee's regular rate of pay will be paid for all hours worked in excess of eight (8) in a workday or forty (40) in any one workweek.
2. Overtime at the rate of two times the employee's regular rate of pay will be paid for all hours worked in excess of twelve (12) in a single workday and for all hours worked in excess of eight (8) hours on the seventh consecutive day of work in a workweek.
3. Overtime at the rate of one and one-half the employee's regular rate of pay will be paid for the first eight (8) hours worked on the seventh consecutive day in a single workweek.
- ~~4. Overtime at the rate of two times the employee's regular rate of pay for all hours worked beyond eight (8) on the seventh consecutive day in a single workweek.~~

C. Workweek and Workday: A workday is any consecutive twenty-four hour period beginning at the same time on each calendar day. A workweek is any seven consecutive days starting with the same calendar day and time each week.

Unless otherwise provided:

1. The workweek on which weekly overtime calculations will be based begins each Sunday at 12:01 a.m. and ends on Saturday at 12:00 midnight; and
2. Each workday on which daily overtime calculations will be based begins at 12:01 a.m. and ends at 12:00 midnight.

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D. Pre-authorization: Non-exempt employees may not work beyond their daily work schedule and/or overtime without prior approval of their supervisor and the program manager/director. Because unauthorized overtime is contrary to Fresno EOC policy, non-exempt employees who work unauthorized overtime may be subject to discipline.

III. **SPLIT SHIFT PREMIUM**

A. Definition: A split shift occurs when an employee works two separate shifts in a single workday with a break of more than one hour between the shifts, unless exempted by applicable Wage Orders.

1. Eligibility: Employees are eligible for a split shift premium if they work two separate periods with a break of more than one hour between those periods on the same workday.
2. Premium Rate: Eligible employees will receive a split shift premium of one (1) hour of their normal hourly rate, in addition to their regular wages, for each workday that qualifies as a split shift.
3. Non-Eligibility: Employees are not entitled to split shift premiums if:
 - The break between the shifts is one hour or less.
 - The shifts do not meet the criteria for a split shift as defined above.
 - The workday does not include two separate periods with a break of more than one hour.

B. Reporting and Payment

1. Reporting: Employees must report split shifts to their supervisor or payroll department as soon as the shift structure is known. The report should include the start and end times of each shift and the duration of the break between shifts.
2. Payment: The split shift premium will be reflected in the employee's regular paycheck and will be included in the payroll cycle that covers the split shift work.

OTHER TYPES OF PAY

A. Reporting Pay: Non-exempt employees who report to work at Fresno EOC's request but are provided with less than half of their usual or scheduled day's work will be paid, without regard to the number of hours actually worked, for one half of the usual or scheduled day's work, but in no event less than two nor more than four hours at the regular rate of pay, unless the reasons for lack of work are beyond Fresno EOC's control. Reporting time hours are not counted as "hours worked" for overtime purposes unless work is performed.

B. Callback Pay: Any non-exempt employee who is called back to work for a second work period in any one workday and is furnished with less than two hours' work will be paid a

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minimum of two hours pay at the regular straight-time rate for the second work period, without regard to the number of hours actually worked, unless the reasons for lack of work are beyond Fresno EOC's control.

C. **Holiday Pay:** Employees are paid their regular straight-time wages for Fresno EOC paid holidays (see Policy 3010, Holidays).

To receive holiday pay, an eligible employee must be at work or taking an approved absence on the scheduled workdays immediately preceding and immediately following the day on which the holiday is observed. If an employee is absent on one or both days because of an illness or injury, Fresno EOC reserves the right to verify the reason for the absence before approving holiday pay.

Non-exempt employees who are required to work on a designated holiday will be paid their regular rate of pay plus holiday pay or be allowed to observe the holiday by taking off another day approved by the employee's supervisor and program manager/director.

Employees who are working during the Fresno EOC holiday may request a floating holiday based on the approval of the program and needs of scheduling. Taking a vacation day and floating the holiday or being paid for both holiday and vacation on the same day, is not allowed.

Exception to holiday pay is if the employee works the holiday, they may receive the holiday pay, and pay for the actual hours they worked (double the pay). If they float the holiday, the employee's manager must note the date on the employee's timesheet and the employee will be paid for the hours worked on the holiday.

Employees on a leave of absence are not eligible for Holiday Pay.

IV. PAYROLL DEDUCTIONS

Certain deductions required by law will be made from each employee's wages. These include state and federal income taxes, FICA (for social security and Medicare), and state disability (SDI) payments, and the state paid family leave (PFL) program. Deductions may be required for garnishments received for federal or state levies for taxes, child support orders, or other court-ordered claims for indebtedness. Other deductions may be made from an employee's paycheck with the employee's written permission. These may include voluntary deductions including, but not limited to: health and life insurance premiums, retirement contributions, long-term disability insurance, credit union, health club membership, I EOC meal tickets, and other Agency approved events.

V. DIRECT DEPOSIT

Fresno EOC offers all employees the option of direct deposit of payroll checks. Employees who are interested in having all or some of their paycheck deposited directly into their bank account through electronic transfer of funds should complete the Direct Deposit Form available in ~~Human Resources Department~~[the Payroll Office](#)~~Human Resources Office~~ and attach a copy of a voided check or deposit slip from the appropriate account.

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Employees will continue to receive a detailed earnings statement each payday, itemizing wage, tax and deduction information, including direct deposit amounts. Employees can choose to enroll in paperless statements to receive this same information via email after enrolling online.

All bank and account information must be verified prior to implementation of the direct deposit. Direct deposit will be effective approximately one pay period after the employee has submitted the required forms and information to payroll.

Employees are responsible for reporting any changes to their bank account. All changes, including cancellation of direct deposit, must be submitted in writing to the Payroll Office.

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POLICY 2020 WAGE AND SALARY ADMINISTRATION

PURPOSE: To establish and maintain a compensation system that will attract, retain, and reward qualified employees at all levels of responsibility, reflect the difficulty and responsibility of jobs, be externally competitive and internally equitable, motivate employees to work toward achievement of Fresno EOC's goals, create an incentive for personal growth and advancement on the basis of demonstrated performance, control direct and indirect personnel costs, and comply with applicable laws.

POLICY: It is the policy of Fresno EOC, in regards to compensation, to: (1) create and maintain job descriptions which are reflective of the duties and responsibilities of all jobs in Fresno EOC; (2) establish wage and pay grades that reflect the value to Fresno EOC of the various jobs, as determined by a formal system of continuing job evaluation and review, taking into account the duties and level of responsibility of each job; (3) establish and maintain justifiable differentials between job levels; (4) adjust pay grades when warranted by changing economic and competitive factors, as determined by periodic surveys and available resources; (5) encourage quality performance by adjusting the pay rate of each employee on the basis of individual performance, as determined by a systematic program of performance evaluations and/or based on program budget requirements and guidelines; and (6) ensure that compensation is not in violation of Fresno EOC's Equal Employment Opportunity Policy (see Policy 1020, Equal Employment Opportunity Policy).

PROCEDURES:

I. JOB DESCRIPTIONS

Job descriptions, in addition to summarizing the essential functions and/or responsibilities associated with a job, also include the skills, abilities, and knowledge required for a position. Job descriptions are used for recruiting and evaluating job candidates, coaching and developing current employees, comparing positions and salaries with other employers, and providing an overview of employee job responsibilities. The ~~Human Resources Department~~ Human Resources Office is responsible for maintaining Fresno EOC job descriptions used throughout Fresno EOC, and when necessary, performs job analyses and assists management in the writing of job descriptions. The ~~Human Resources Department~~ Human Resources Office is responsible for ensuring that the job descriptions meet the requirements set forth under the Americans with Disabilities Act and any other applicable laws. Job descriptions for Head Start positions will be reviewed and approved by the Head Start Policy Council.

II. JOB EVALUATIONS

The ~~Human Resources Department~~ Human Resources Office is responsible for coordinating the continuing internal review of all compensation and ensuring that each job is evaluated and assigned a pay grade. The ~~Human Resources Department~~ Human Resources Office will, when considered appropriate, participate in or conduct compensation surveys covering other employers with similar jobs.

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III. WAGE AND PAY GRADES

~~All positions are assigned a pay grade and pay range that are documented and managed by the Human Resources Office. All jobs are assigned to a pay grade.~~ For each pay grade, a range is assigned which provides for a spread from a minimum to a maximum rate paid for a job. ~~All positions are assigned a pay grade and pay range that are documented and managed by the Human Resources Department.~~ Human Resources Office.

IV. NEW HIRE PAY

A new employee will generally be hired at a competitive rate compared to the market, at the minimum of the pay range for the pay grade assigned to their position. ~~While subject to change and consistent with its at will employment policy, the Fresno EOC's lowest wage rate is \$187.00 per hour.~~ A candidate may be offered a higher starting rate based on experience, skill level or other competitive considerations. Any change from the normal starting rate must be reviewed and approved by the appropriate program manager, director, and responsible Officer, and must include a letter of justification before a job offer is made.

V. PROMOTIONS

A promotion is the advancement from a position in one pay grade to another position in a higher pay grade. When promoted, a fully qualified employee should receive the minimum of the pay range assigned to the new position or a 10% increase, whichever is higher.

An employee may be promoted to a higher level of the same position occupied by the employee, such as from Secretary I to Secretary II or from Teacher I to Teacher II, when certain criteria of the job description are met. An employee promoted within a series should be moved to the beginning of the pay grade, or receive 5%, whichever is higher. This may be done by recommendation from the supervisor, not subject to the recruitment process.

VI. COMPENSATION INCREASES AND COST OF LIVING ADJUSTMENT

Employee compensation within a pay grade is based on various measurable factors including, but not limited to: performance, increased responsibility without a change in job classification, length of service, meeting objective goals established in the last performance review, availability of program funds, and external market factors.

A. MERIT INCREASE: An employee may be eligible for a merit increase once a supervisor has conducted a performance evaluation with the employee. A merit increase cannot be paid more than once every 12 months.

The supervisor is responsible for conducting a performance evaluation with each employee. A pay increase decision will follow program and agency guidelines and will be based on a combination of, but not limited to the following: performance, pay grade, length of service, and program budget considerations.

Merit increases are outlined as follows:

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Overall Evaluation Rating:	Overall Evaluation Score:
Exceptional/Exceeds Expectations	4.0
Above Expectations	3.00-3.99
Meets Expectations	2.00-2.99
Below Expectations/Unsatisfactory	0-1.99

An employee may be eligible for an annual merit increase following the above evaluation rating and corresponding score. Merit increase amounts may be implemented at proportional rates based upon program budget for personnel costs and salary increases. Program personnel costs and budget for increases should be analyzed prior to the budget year, starting to ensure equitable and fair notice to all affected staff.

Additionally, an employee subject to formal disciplinary action (written reprimand, final notice, or suspension) is not eligible for a merit increase.

B. Cost of Living Adjustment (COLA): The Agency recognizes that inflation and increased cost of living impacts employees. Cost of Living Adjustments are not automatic or guaranteed. A proposed COLA amount will be determined based upon availability of funds, increases implemented during the same fiscal year and other factors. A COLA will be implemented agency-wide as recommended by the Chief Executive Officer, with consideration from the Chief Financial Officer and ~~Human Resources Director/Officer~~ Human Resources Office, and with approval of the Board of Commissioners.

C. Other: Recommendations for salary adjustments outside of this policy' must be submitted with a letter of justification to the responsible Officer for approval. Final approval will be issued by the ~~Human Resources Department~~ Human Resources Office after being reviewed for equity, impact and overall fairness.

Employees who have reached the maximum of the pay range for their job will not be eligible for further salary increases unless the range is adjusted, except for a ~~Cost-of-Living~~ Adjustment.

Employees covered by a collective bargaining agreement are not eligible for increases outside of the negotiated wages.

VII. TEMPORARY INCREASES/INTERIM ASSIGNMENTS

A. Temporary Increase: An employee who is performing additional work in the same capacity for at least 10 consecutive working days will normally be compensated with a 5% salary increase for the duration of the increased workload. This temporary increase may occur for a variety of reasons including, but not limited to: an employee in the same job title being on vacation, a leave of absence or a vacancy existing. The increased workload should not last for more than four (4) months.

B. Interim Assignment: An employee may be placed on interim assignment to a position that is vacant or created for a temporary need. The employee must meet the qualifications of

the position and should be paid the minimum of the new pay grade or receive a 10% increase, whichever is higher.

VIII. RECLASSIFICATIONS

Reclassifications may be made when a major change in the position content occurs, or when the incumbent in the position relinquishes or assumes substantial responsibilities and/or requires a marketplace adjustment. When a position warrants reclassification, the job description will be reviewed, reevaluated, and assigned to the proper pay grade.

If, as a result of reevaluation, a position is changed to a higher or lower pay grade, a change in pay rate should be considered. If the employee's position is evaluated to a higher pay grade, the rate should be increased to reflect the minimum of the new grade. If the employee's position is evaluated to a lower pay grade, the rate will remain the same unless it is above the maximum of the new pay range, in which case it will be adjusted to the maximum of the pay range, subject to program funding.

When an employee is demoted, the rate will be continued, provided it does not exceed the maximum of the salary range of the new classification. If the employee's current rate exceeds the maximum of the new classification, the rate will be adjusted to the new maximum, subject to program funding.

IX. TRANSFERS

Transfers may be from one position to another within the same pay grade or from a position in one program to a position of equal value in another program (see Policy 1120, Transfers and Promotions). An employee transferred to a job within the same pay grade will continue to receive their existing rate of pay.

X. DEMOTION

Demotion is the movement from a position in a higher pay grade to a position in a lower pay grade. An employee may be demoted due to: disciplinary action reasons, lack of work, budgetary reasons, reorganization, or at their own request. The employee will usually be paid at their former rate, unless the former exceeds the maximum rate of the new job in which case the employee will be paid the maximum rate of the new job.

XI. APPROVAL OF WAGE AND SALARY ADJUSTMENTS

A. Forms: A formal procedure has been established for recording employment status and changes to an employee's rate, classification, and/or assignment. The Employee Form and Temporary Payroll Notice are the only official methods by which supervisors can be assured that their recommendations for changes will be recorded on all pertinent records. All requests for pay adjustments must be accompanied by appropriate documentation, which may include performance evaluations to support the request.

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B. Approval: The Employee Form or Temporary Payroll Notice requesting any change must be completed and signed by the supervisor, program manager and/or director. The signed form will be submitted to the ~~Human Resources Department~~ Human Resources Office for implementation of the change and filing in the employee's personnel file. Proposed changes related to pay shall not be discussed with the employee until final approval has been received.

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POLICY 2030 GARNISHMENTS

PURPOSE: To establish a procedure for the proper handling of garnishments against employee wages.

POLICY: It is the policy of Fresno EOC to comply with garnishment orders. Garnishments are court orders to an employer to withhold a sum of money from an employee's wages or salary. Because both federal and state laws govern garnishments, it is the policy of Fresno EOC to process them within the requirements of state law, Title III of the Consumer Credit Protection Act, and the Child Support Enforcement Program.

REFERENCE: Consumer Credit Protection Act 15 U.S.C. §§ 1671 et. seq. Child Support Enforcement Program 42 U.S.C. §§ 654 and 666, Bankruptcy Act of 1978 and the Bankruptcy Act Amendments of 1984 11 U.S.C. § 525(a) and (b).

PROCEDURES:

I. RESPONSIBILITY

A. Employee: Employees are responsible for managing their personal finances so that they do not adversely impact job performance. The failure of an employee to meet their financial obligations may impose an administrative and financial burden on Fresno EOC in terms of the expense and bookkeeping in responding to and complying with court orders.

B. Payroll: Any writ of garnishment or attachment, notice of levy by any taxing authority, or any other similar order requiring payment of a portion of an employee's compensation to someone other than the employee served on Fresno EOC is to be referred to the Payroll Office. The Payroll Office will take immediate action and ensure that the employee receives a copy of the order. The employee will be encouraged to take care of the financial obligation, if possible, and obtain a release of the garnishment prior to any deductions being taken from the employee's wages. The Payroll Office will be responsible for receiving the garnishment order and deducting the proper amount each pay period in accordance with federal and state law until the obligation is met.

II. TYPES OF GARNISHMENTS

Garnishments are legal claims against an employee's wages and may be in the form of federal or state levies for taxes, child support orders, or other court-ordered claims for indebtedness. Each of the forms of garnishments has different preferences and deduction requirements from employee disposable earnings. Disposable earnings are defined as that part of the employee's earnings after deductions required by law. These deductions include federal and state income taxes, social security taxes, state disability payments and state paid family leave.

Fresno EOC will withhold amounts required by the garnishment or wage order from the disposable earnings up to the amounts permitted by law.

III. DISCIPLINARY ACTION

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No employee will be terminated from employment because earnings have been subjected to garnishment for one indebtedness within one year, even if it is for more than one garnishment for the same indebtedness. However, repeated garnishments for more than one indebtedness may result in ~~corrective action~~disciplinary action, up to and including termination, depending on the circumstances of the case and any restrictions under state and federal law.

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POLICY 2040 – DISCRETIONARY BONUS INCENTIVE POLICY

PURPOSE: To provide an effective means to motivate and compensate eligible employees through discretionary monetary award bonuses for exceptional performance, significant contributions, and substantial accomplishments well beyond normal or regular work responsibilities. A discretionary bonus does not increase the base salary nor serve as a means to give a larger annual increase. This bonus is given at the discretion of the Program Director with approval from the CEO. Fresno EOC believes that such discretionary compensation can be a highly effective means to enhance the employer-employee relationship. In addition, Fresno EOC hopes that by providing discretionary short-term bonuses, the Agency will motivate and increase the retention rate among its employees, which, in turn, will enhance Fresno EOC's long-term value.

POLICY: It is the policy of Fresno EOC to provide, at the sole and total discretion of the Program Director and CEO, a discretionary bonus to employees for the exceptional performance, significant contribution, and substantial accomplishments of employees that go well beyond normal or regular work responsibilities. There is no guarantee or promise, whether express or implied, to pay employees a discretionary bonus. No oral promise to award a discretionary bonus by any officer, director, manager, or supervisor is enforceable. Fresno EOC will only honor written bonuses that have been approved by the Program Director and CEO. This discretionary bonus is only applicable when funds are available and cannot be awarded more than once annually.

ELIGIBILITY:

Employees may be eligible for a discretionary bonus, at the sole discretion of the Program Director and CEO, provided the following performance standards are met:

- 1) Significant and outstanding contribution and effort well beyond normal expectations and day-to-day responsibilities.
- 2) Contribution is regarded as major, key, or vital.
- 3) Extraordinary effort to meet quality and quantity requirements while meeting the essential requirements and performance standards of the regular job.

Employees may receive a discretionary bonus only if they are employed on the date the payment is processed and have not indicated an intent to resign.

Employees may not be rewarded twice for the same performance standards described in 1-3, above. A discretionary bonus must not be used in place of additional job responsibilities that may be assigned or overtime payment in circumstances where the employee is entitled to such premium wage.

Employees should not receive more than one discretionary bonus within a 12-month period.

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The establishment of a discretionary bonus does not constitute a contract for continued employment or alter the at-will relationship between the employee and Fresno EOC.

PROCEDURES:

Appropriate documentation for the discretionary bonus must be in writing and must include the following information:

- Brief and specific description of the bonus plan
- Date or timeframe of contribution or event
- Discretionary bonus amount
- Approval signatures from Program Director and Program Officer.

Programs must ensure that funds are available. If necessary, all formal programmatic recommendations and approvals must be obtained prior to awarding discretionary bonuses. A discretionary bonus must be made as a one-time payment and must not be added to an employee's base salary.

Fresno EOC will deduct any federal, state, or local income tax withholding requirements or other tax requirements or withholdings applicable to the discretionary bonus, and all such determinations shall be final and conclusive.

A discretionary bonus will not be included in employee benefits-related calculations (i.e. retirement and pension benefits) or regular rate of pay. The discretionary bonus is not measured by or dependent upon hours worked, production or efficiency.

Programs must apply extreme care when awarding a discretionary bonus inasmuch as these awards may give rise to perceptions of favoritism and inequality. Programs must consistently and fairly apply the standards for awarding a discretionary bonus.

Fresno EOC reserves the right to dismiss any employee at-will (at any time, with or without prior notice, with or without cause), or otherwise implement other personnel or ~~corrective action~~ disciplinary actions to the employee to the same extent as though the discretionary bonus had not been adopted.

Fresno EOC (CEO) may terminate or revoke any discretionary bonus, at its sole discretion, at any time and amend, from time to time the discretionary bonus without the approval of any employee.

POLICY 2050 — HAZARD PAY POLICY

PURPOSE: To compensate employees that are required to perform hazardous duties on behalf of the Fresno EOC.

POLICY: It is the policy of Fresno EOC to recognize that employees must be compensated for their willingness to take on hazardous duties. Employees may perform hazardous duties, work in hazardous areas or both.

REFERENCE: Department of Labor

PROCEDURES:

I. — DEFINITION

~~Hazard pay means additional pay for performing hazardous duty or work involving physical hardship. Work duty that causes extreme physical discomfort and distress which is not adequately alleviated by protective devices is deemed to impose a physical hardship.~~

II. — ELIGIBILITY

All employees assigned to positions classified as “hazardous” are eligible for hazard duty pay, regardless of employment status.

III. — HAZARD DUTY PAY

~~Employees assigned to positions eligible for hazard pay will receive a rate pre-determined by the program on a bi-weekly basis. Hazard rates must be applied consistently across all staff within the same position. Hazard pay will be paid as mandated by state or federal laws. Hazard Pay will not be paid when the employee is on a leave of absence.~~

IV. — PAY AND TAX IMPLICATIONS

~~According to the Internal Revenue Service (IRS), hazard duty pay is considered taxable income. These amounts will be included on the employee's W-2.~~

POLICY 20650 – PAY SCALE INFORMATION

PURPOSE: To comply with pay posting requirements and limitations on the ability to require an applicant to provide or rely on salary history information in determining whether to hire an applicant or what salary to offer the applicant.

POLICY: It is the policy of Fresno EOC to comply with pay posting requirements and limitations on its ability to require an applicant to provide or rely on salary history information in determining whether to hire an applicant or what salary to offer the applicant.

REFERENCE: CA Labor Code section 432.2

PROCEDURES:

Fresno EOC does not rely on the salary history of a job applicant in deciding whether to extend an offer of employment or what salary to offer unless the applicant voluntarily discloses this information. Fresno EOC also does not seek, either personally or through an agent, salary history information about an applicant. Moreover, upon request, Fresno EOC will provide ~~to~~ existing employees the pay scale (defined as “the salary or hourly wage range that the employer reasonably expects to pay for the position”) for the position in which the employee is currently employed. Fresno EOC will maintain records of a job title and wage rate history for each employee for the duration of the employment plus three years after the end of the employment. Pay scales will also be included for a position in any job posting. If Fresno EOC engages a third party to announce, post, publish, or otherwise make known a job posting, it will provide the pay scale to the third party and the third party should include the pay scale in job postings.

POLICY 3010 HOLIDAYS

PURPOSE: To observe and allow time off with pay for designated holidays.

POLICY: It is the policy of Fresno EOC to designate and observe certain days each year as holidays. Eligible employees will be given a day off with pay for each holiday observed. The following holidays are observed; however, Fresno EOC reserves the right to amend this policy at its discretion:

New Year's Day
Martin Luther King Jr. Day
Lincoln's Birthday
Washington's Birthday (President's Day)
Cesar Chavez Day
Memorial Day
Juneteenth
Independence Day
Labor Day
Indigenous People's Day
Veterans Day
Thanksgiving Day
Day after Thanksgiving
Christmas Day through New Years Day

PROCEDURES:

I. ELIGIBILITY

All regular full-time employees are eligible to receive their regular rate of pay for each observed holiday. Regular part-time employees are eligible to receive holiday pay only for holidays on which they would normally be scheduled to work, and only for their regularly scheduled number of hours.

Temporary and substitute on-call employees are treated the same as full-time or part-time employees for holiday purposes, depending on whether such temporary or substitute employee is working full-time or part-time.

Employees on leaves of absences, seasonal breaks, or on lay-off status are not eligible to receive holiday pay.

To receive holiday pay, an eligible employee must work the day before and after a holiday or taking approved vacation, be at work. An employee who calls out the work day before or after a holiday is not eligible for holiday pay. or taking an approved absence on the scheduled workdays immediately preceding and immediately following the day on which the holiday is observed. If an employee is absent on one or both of these days because of an illness or injury, Fresno EOC reserves the right to verify the reason for the absence before approving holiday pay.

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II. HOLIDAY SCHEDULE

An approved holiday that occurs on a Saturday or Sunday will be observed on either the preceding Friday or following Monday, respectively.

Holidays that occur during an employee's vacation will not be counted as vacation days taken.

Fresno EOC may schedule work on an observed holiday, as it considers necessary. Normally, work on an observed holiday will be paid as if the day were a regularly scheduled day. The responsible Officer will determine if the employee ~~will receive~~ receives additional pay for the day or take a paid day off at another time. However, Fresno EOC may, at its discretion, require an employee to work on scheduled holidays and provide pay in lieu of time off.

III. HOLIDAY PAY

Non-exempt employees who are required to work on a designated holiday will be paid their regular rate of pay plus holiday pay or be allowed to observe the holiday by taking off another day approved by the employee's supervisor and program manager/director within the same workweek. Holidays that are observed and not worked will not be considered as time worked for the purpose of calculating overtime.

IV. OTHER HOLIDAYS

Fresno EOC recognizes that some employees may wish to observe, as periods of worship or commemoration, certain days that are not included in Fresno EOC's regular holiday schedule. Accordingly, employees who would like to take a day off for those reasons may do so if it will not impose an undue hardship on the ability of Fresno EOC to conduct business, and the time off is requested and approved in advance by the employee's supervisor. Employees may use accumulated days ~~off~~ of paid vacation for these occasions, or they may take the time off as an unpaid, excused absence.

V. HOLIDAY PROCEDURES RELATING TO SOUL TEACHERS

SOUL teachers observe holidays in alignment with Fresno Unified School District holidays.

POLICY 3020 VACATION

PURPOSE: To establish a vacation plan for the benefit of regular full-time and eligible part-time employees.

POLICY: It is the policy of Fresno EOC to provide vacation benefits to eligible employees to enable them to take paid time off.

PROCEDURES:

I. ELIGIBILITY

All regular full-time and part-time employees working thirty (30) hours or more per week are eligible to accrue vacation benefits based on their continuous length of service, measured from the date of hire or date from which the employee became eligible for vacation benefits. Continuous length of service is defined as service that is uninterrupted by termination of employment and subsequent rehire by Fresno EOC.

II. VACATION ACCRUAL

A. Full-time Employees: Vacation accrues according to the following schedule:

Years of Continuous Service	Vacation Accrual
Date of hire or eligibility through completion of second year	1-1/4 working days for each full month worked up to a maximum of 15 days per year.
Third year and thereafter	1-2/3 working days for each full month worked up to a maximum of 20 days per year.

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Vacation accrues on a bi-weekly basis based on the number of hours worked. To receive a full accrual for the month, employees must either work the full bi-weekly period or receive paid time off. Any unpaid time off will affect the vacation accrual.

B. Part-time Employees: Regular part-time employees working a minimum of thirty (30) hours per week accrue vacation benefits on a pro rata basis which relates to the average number of hours worked to a regular full-time work week. Part-time employees who work less than thirty (30) hours per week do not accrue vacation benefits.

C. Temporary and On-Call Employees: Temporary and On-Call employees do not accrue vacation benefits.

~~D.D.~~—Maximum Accrual: Vacation accruals may not exceed twice an employee's current annual entitlement (e.g., 30 days for an employee with less than two years of service or 40 days for an employee with more than two years of service). Once this maximum is reached, all further accruals will cease. Vacation accruals will recommence after the employee has taken vacation and accrued hours have dropped below maximum.

E. Vacation Accrual during Periods of Leaves of Absence: Vacation time does not accrue during a leave of absence. Vacation accruals recommence when the employee returns to work. Vacation accrual will be tracked on employees' itemized wage statements.

III. VACATION APPROVAL AND SCHEDULING

A. Vacation Approval: All vacations must be approved in advance by the employee's immediate supervisor, program manager/director.

B. Vacation Scheduling: Scheduling of vacations is to be done in a manner consistent with Fresno EOC's operational requirements. Vacation requests should be submitted by an employee to their immediate supervisor for approval at least two weeks prior to the commencement of a vacation period or as requested by the program director. Fresno EOC reserves the right to deny the employee's requested date(s) of vacation if granting such vacation time will disrupt Fresno EOC's business. In the event two or more employees have requested vacations covering the same period and may not be absent simultaneously, preference shall be given to the employee with the greater length of service.

C. Vacation Advances: An employee is not permitted to borrow on future accrual of vacation benefits unless otherwise agreed upon by the responsible Officer who must approve any exceptions or as otherwise provided by specific program needs such as mandatory seasonal closures, such as Head Start ~~that closes~~that close for winter break or as required for program necessities.

IV. VACATION USE

Accrued vacation must be taken in increments of at least 30 minutes.

Employees who request family or medical leave (see Policy 4010, Family and Medical Leave and California Family Rights Act) may apply any available accrued vacation pay to their family or medical leave.

No allowance will be made for sickness or other compensable ~~type of~~ absence occurring during a scheduled vacation.

V. VACATION PAY

Vacation pay for full-time and part-time employees will consist of the employee's base rate of pay for the vacation period and will be paid on the ~~regular~~regularly scheduled payday.

No vacation cash outs are allowed. On termination of employment, the employee will be paid all accrued but unused vacation at the employee's base rate of pay at the time of termination.

Employees may utilize vacation accruals while on protected leave.

VI. VACATION PROCEDURES RELATING TO SOUL TEACHERS

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SOUL teachers do not accrue vacation benefits.

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POLICY 3030 SICK TIME

PURPOSE: To help prevent loss of earnings that may be caused by personal or family illness or injury. This policy is for the benefit of eligible employees and should be used wisely. This is separate from the Paid Sick Leave Policy.

POLICY: It is the policy of Fresno EOC to permit employees to be absent from work for personal illness or injury or the illness or injury of a family member, as defined in Section I (A) of Policy 4010 or registered domestic partner, or the child of a registered domestic partner, which requires immediate attention.

REFERENCE: California Labor Code § 233, California Labor Code sections 245-249 and section 2810.5.

PROCEDURES:

I. DEFINITION

Sick time is time off from work that employees can use during periods of temporary illness to address their health and safety needs or that of a family member as defined in section IV of this policy. Sick time that is longer than ~~five (5)~~ 3 days may be designated as Family and Medical Leave Act if all criteria is met and must be converted to an approved leave of absence for employment rights to be maintained (see Policy 4010, Family and Medical Leave and California Family Rights Act). Fresno EOC reserves the right to amend this policy at its discretion.

II. ELIGIBILITY

All regular full-time and part-time employees working thirty (30) hours or more per week are eligible to accrue sick time benefits.

Part-time employees working less than thirty (30) hours per week, temporary, and on-call employees are not eligible to participate in this program but may take unpaid absences if approved by their supervisor.

All employees are eligible for Paid Sick Leave (PSL) (see Policy 3040, Paid Sick Leave).

III. ACCRUAL

All regular full-time employees are eligible to accrue up to a maximum of ~~seven (7)~~ ~~nine (9)~~ days of sick time per calendar year. Eligible part-time employees are eligible to accrue sick time on a pro rata basis which relates the average number of hours per week worked to a regular full-time workweek. Sick time accrues on a bi-weekly basis. Sick time may not accrue during any unpaid time off. To receive a full accrual for the pay period, employees must either work the full bi-weekly period or receive paid time off.

IV. USE OF SICK TIME

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Sick time may be taken for personal illness or injury, disability, illness of a family member such as a child, spouse or parent, registered domestic partner or the child of a registered domestic partner, or for a family care or medical leave purpose (see Policy 4010, Family and Medical Leave and California Family Rights Act). Hours absent for medical and dental appointments will be treated as sick time. When possible, employees are expected to plan medical appointments in a manner that minimizes a disruption of the workflow.

Employees must use sick time in no less than a minimum of ~~thirty (30) minutes~~ one (1) hour. Employees' sick time will be tracked on their itemized wage statement.

V. KIN CARE

Kin care may be used when an employee needs time to care for themselves or a family member. Kin care runs on a calendar year and resets on January 1. An employee may use up to ~~only one-half~~ of their annual sick time accrual, once it has actually accrued, ~~when they need time to care for themselves or a family member.~~ The amount of sick time available for kin care does not carry over from year to year.

A family member means any of the following: a child (biological, adopted, foster, step, legal ward, child to whom the employee stands in loco parentis); parent (biological, adoptive, foster, step, legal guardian of employee or employee's spouse or registered domestic partner or a person who stood in loco parentis when employee was a minor child; spouse; registered domestic partner; grandparent; grandchild; sibling; and designated person. A "designated person" is defined as "a person identified by the employee at the time the employee requests paid sick days." Employees are limited to designating one designated person per 12-month period for sick days. Management retains the right to request verification at any time from a licensed health care provider for any absences related to kin care.

~~The amount of sick time available for kin care does not carry over from year to year.~~

Fresno EOC will not ~~retaliatediscriminate in any manner~~ against an employee for using or attempting to use sick time for kin care.

Sick time used for kin care, up to one half of the employee's annual accrual, will not count towards Fresno EOC Attendance Policy (see Policy 1160 Punctuality and Attendance).

VI. MAXIMUM ACCRUAL

Sick time may be accumulated up to a maximum of sixty (60) working days or 450 hours for use in future years.

VII. SICK PAY

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Eligible employees will be compensated for regular base wages lost during certain periods of absence to the extent that they have accumulated days of sick time under this policy. Sick time will be paid at the employee's base rate of pay and paid for regularly scheduled workdays.

Compensation for absences will not be granted before sick time has been accrued. Sick time will not be considered as work time for calculating weekly overtime compensation.

No unused sick time benefits will be paid upon termination of employment or retirement.

VIII. REQUEST/APPROVAL PROCESS APPROVAL OF SICK TIME

A timekeeping request must be completed for each absence and approved by the employee's supervisor. After exhaustion of PSL, management retains the right to request verification of absence at any time from a licensed health care provider after three (3) days. Employee must submit verification of absence on the day they return to work to confirm fitness for duty, for all absences due to illness or disability. Sick pay may be denied if a satisfactory verification is not provided by the employee upon request by the supervisor.

An employee will not be allowed to use more than their accrued sick time balance. In the event an employee is unable to report to work due to personal or family illness or injury, the employee's supervisor or program manager/director must be directly contacted no later than the normal reporting time or adhere to the location reporting procedure. The date of return must be provided. If unknown, the employee's supervisor or program director/manager must be directly contacted each day prior to the normal reporting time, unless a written statement has been provided by a licensed health care provider.

IX. COORDINATION OF SICK TIME BENEFITS WITH WORKERS' COMPENSATION AND NON-OCCUPATIONAL DISABILITY OR MEDICAL LEAVES OF ABSENCE

An eligible employee may use sick time benefits during the applicable waiting period prior to being paid workers' compensation temporary disability benefits. Similarly, an employee may be paid sick time benefits during the applicable waiting period before becoming eligible for benefits under the state disability or paid family leave insurance plan.

Following the applicable waiting periods, an employee may continue to receive accrued sick pay, less the disability benefits actually received or the disability benefits that would have been received had the employee made timely application to the appropriate agency.

POLICY 3040 PAID SICK LEAVE

PURPOSE: To ensure that all Fresno EOC employees can address their own health needs and the health needs of their family by providing paid sick days including time for family care. In addition, Fresno EOC strives to enable its employees to seek early and routine medical care for themselves and their family members and to provide leave for victims of domestic violence, sexual assault, or stalking.

POLICY: It is the policy of Fresno EOC to provide State-mandated Paid Sick Leave (PSL) to every employee. PSL is different and separate from Policy 3030 (Sick Time).

REFERENCE: California Labor Code sections 245-249 and section 2810.5, [SB 616](#).

PROCEDURE:

I. DEFINITION(S)

Paid Sick Leave (PSL) is leave used for the diagnosis, care or treatment of an existing condition, or preventive care, for the employee or for a family member. This also includes leave used by employees who are victims of domestic violence, sexual assault, or stalking.

For purposes of sick leave use, employee includes full-time, part-time, and temporary employees, and family member includes child, parent, spouse, registered domestic partner, domestic partner's child, grandparent, grandchild, sibling, and designated person. A "designated person" is defined as "a person identified by the employee at the time the employee requests paid sick days. Employees are limited to designating one designated person per 12-month period for sick days. "Child" is defined as a biological, foster, or adopted child; stepchild; legal ward; or a child for whom you accepted the duties and responsibilities of raising, even if the child is not your legal child. "Parent" is defined as your biological, foster, or adoptive parent; stepparent; legal guardian of the employee or the employee's spouse or registered domestic partner; or a person who accepted the duties and responsibilities of raising the employee, even if parent is not the employee's legal parent, when the employee was a minor child. "Spouse" is defined as your legal spouse according to the laws of the State of California, which does not recognize "common law" spouses (a union which has not been certified by a civil or religious ceremony). "Domestic partner" is defined as another adult with whom you have chosen to reside and with whom you have filed a Declaration of Domestic Partnership with the Secretary of State. A "domestic partner's child" is the biological, foster, or adopted child; stepchild; or legal ward of your domestic partner; or a child for whom your domestic partner has accepted the duties and responsibilities of raising, even if the child is not your domestic partner's legal child.

II. ELIGIBILITY

All employees who have been employed by Fresno EOC for 30 or more days within a year from the beginning of employment will be entitled to PSL.

III. FRONT LOAD BASIS

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Employees will be provided forty (40)- hours, or five (5)- days, whichever is greater, which an employee ~~is eligible to may~~ use on or after the 90th day of employment.

For purposes of calculating PSL, employees who are exempt from overtime as an administrator, executive or professional under the appropriate wage order will be deemed to work their regularly scheduled workweek. All other employees must keep a record of hours worked so that Fresno EOC can properly account for accrued sick leave.

IV. MAXIMUM EARNED

Unused PSL cannot be carried over and will be zeroed out each year at the end of December and a new forty (40) hours, or five (5) days, whichever is greater, will be provided on the first of January.

Unused PSL will not be paid to the employee at the separation of employment. However, if the employee is rehired by Fresno EOC within one year of the date of separation, previously accrued but unused PSL will be reinstated at rehire.

V. USE OF PAID SICK LEAVE

Employees requesting time off under this policy should provide notice of the need for leave as soon as practicable, and in advance, if foreseeable. A request for time off can be made orally or in writing.

Employees must use PSL in no less than a minimum of one (1) hour.

An employee cannot use more than forty (40) hours, or five (5) days, whichever is greater, of PSL in each calendar year of employment. Fresno EOC will not lend PSL to employees in advance (i.e., employees are not allowed to have a negative balance for this benefit).

Employee ~~MUST~~ must designate if leave used will be PSL (Paid Sick Leave). Designation must be made as soon as reasonable or within the current pay period. If no designation is given by the employee, Fresno EOC may designate the time off according to Sick Time Policy (see Policy 3030, Sick Time). If no designation is given for the time off (even though the employee still has PSL available), and if the employee has exhausted their sick time, the time off shall be taken as unpaid. If PSL has been exhausted for the given year and if there is no sick time available, the time off shall be taken as unpaid.

Leave taken under this policy may run concurrently with leave taken under local, state or Federal law including leave taken pursuant to California Family Rights Act (CFRA) or Family Medical Leave Act (FMLA). Time off for medical and dental appointments will be treated as PSL.

VI. APPROVAL OF PSL

Fresno EOC will not ~~discriminate or retaliate in any manner~~ against an employee for using or attempting to use PSL.

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Time off for PSL will not count towards the Fresno EOC Attendance Policy (see Policy 1160 Punctuality and Attendance).

VII. PSL PAY

PSL will be paid at the employee's hourly rate of pay. ~~For employees paid different hourly pay rates within the last 90 days before taking PSL, or employees paid by commission, piece rate or non-exempt salaried employees, the rate of pay will be calculated by dividing the employee's total wages, excluding overtime, by total hours worked.~~ PSL benefits may be integrated with benefits provided under State Disability Insurance or Workers' Compensation. In no event shall the combination of disability benefits, plus PSL benefits, exceed regular earnings.

VIII. NOTICE TO EMPLOYEES

A poster describing PSL rights shall be located in the break room or other common area frequented by staff.

Fresno EOC will maintain records documenting hours worked, PSL earned and used, and will make them available within 21 days upon request. Employees may designate paid sick leave as either for the employee's own health condition, for obtaining relief in the case of crimes or abuse, or for care of family members who have serious health conditions as provided.

POLICY 3050 INSURANCE BENEFITS

PURPOSE: To summarize the insurance benefits available for employees of Fresno EOC.

POLICY: It is the policy Fresno EOC to provide its employees with various insurance benefits. Information and summaries intended to explain the various insurance benefit plans will be furnished to all plan participants. Fresno EOC reserves the right to modify, amend, or terminate its insurance plans as they apply to all current and former employees. The benefits offered to eligible employees include workers' compensation insurance; State Disability Insurance; medical, dental, vision, and prescription drugs insurance; group life, accidental death and dismemberment, and business travel insurance. Eligibility will depend upon the specific requirements of each benefit plan and is described in the summary plan document where applicable.

REFERENCE: Consolidated Omnibus Budget Reconciliation Act, California Labor Code Section 3700, Unemployment Insurance Code Section 3300-3306, Health Insurance Portability and Accountability Act.

PROCEDURES:

I. GROUP INSURANCE BENEFITS

A. Insurance Coverage Information: Eligibility requirements and further information concerning insurance coverage are fully explained in the Group Health Plan Summary Plan Documents available from the ~~Human Resources Department~~[Human Resources Office](#).

B. Group Health Insurance: The group health plan includes medical, vision, dental, and prescription drug coverage.

1. Eligibility: All regular full-time and part-time employees working thirty (30) hours or more per week and their dependents are eligible to participate in the group health plan beginning the first of the month following employment, provided an enrollment form is completed within thirty-one (31) days following employment. Those who are not eligible for the group health plan may be eligible for the sub on call plan based upon requirements as allowed by law. Employees who become eligible after employment may participate beginning the first of the month following eligibility, provided an enrollment form is completed within thirty-one (31) days of becoming eligible. Newly acquired dependents, such as by marriage, birth or by adoption, will become eligible on the effective date of the occurrence, provided an enrollment form is completed within thirty-one (31) days of the occurrence.
2. Open Enrollment: An annual open enrollment period of 30 days will be conducted each year for eligible employees and their dependents. Employees who did not enroll during the time periods mentioned above have an opportunity to enroll during this open enrollment period. The effective date of

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coverage will be January 1, following submission and approval of enrollment selections.

3. Termination of Coverage: Insurance coverage terminates on the last day of the month that employment terminates or when an authorized leave of absence exceeds four (4) months unless the employee is on an approved CFRA leave preceded by PDL leave or as otherwise required by law.
4. Conversion/Post-Employment Insurance Options: Pursuant to the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), eligible employees and their dependents are entitled to continue health insurance coverage after employment with Fresno EOC ceases. The ~~Human Resources Department~~Human Resources Office and/or the third-party administrator must provide employees with information on how they can continue health care coverage under COBRA.
- C. Group Life Insurance: All regular full-time and part-time employees working thirty (30) hours or more per week are eligible for life insurance. Coverage begins on the first of the month following employment or eligibility. The maximum amount covered is described in the summary plan document.
- D. Accidental Death and Dismemberment: All regular full-time and part-time employees working thirty (30) hours or more per week are eligible for accidental death and dismemberment insurance beginning on the first of the month following employment or eligibility. The maximum amount covered per loss is described in the summary plan document.
- E. Premium Payments for Insurance Coverage: Employees who are enrolled in a group health insurance plan are required to participate in the cost of the insurance by having a deduction taken from their paycheck bi-weekly for use towards the premium cost. The employee is responsible for their benefit premiums while on protected leave. Any payments that have been missed even while on leave will be the responsibility of the employee. Failure to pay the employee portion of premiums Lack of payments could result in the loss of health insurance. Payment must be received in the Human Resources Office by the 25th day of each month. If the payment is more than 30 days late, the employee's health care coverage may be dropped for the duration of the leave. Fresno EOC will provide 15 days' notification prior to the employee's loss of coverage.

Group health insurance benefits ordinarily provided by Fresno EOC, and for which the employee is otherwise eligible, will continue during an authorized leave of absence for up to the required amount allowed by the leave, in most cases up to four (4) months, provided the employee pays the required contributory amount. ~~Payment must be received in the Human Resources Department~~Human Resources Office by the 25th day of each month. If the payment is more than 30 days late, the employee's health care coverage may be dropped for the duration of the leave. Fresno EOC will provide 15 days' notification prior to the employee's loss of coverage. Employees returning from an authorized Leave of Absence will be reinstated into health coverage effective the 1st of the following month. After the four (4) month period, employees will be given the option to continue with group health insurance through COBRA.

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II. OTHER INSURANCE BENEFITS

A. Paid Family Leave (PFL): To protect employees who miss work due to a serious illness of a family member covered by California law, or to bond with the employee's new child, the new child of the employee's spouse or registered domestic partner or a child in connection with the adoption or foster care placement of the child with the employee's spouse or registered domestic partner, the law requires that a small percentage of each employee's wages, up to the prevailing maximum, be deducted each pay period for disability insurance. PFL provides up to eight (8) weeks of benefits in a twelve (12) month period based on the employee's earnings. Benefits are paid directly to the employee by the state. The program is under the state's disability insurance program and funded through an employee tax (SDI). Employees may receive SDI or PFL while on a protected leave covered under the Family and Medical Leave Act (FMLA), California Family Rights Act (CFRA), and Pregnancy Disability Leave (PDL). Claim forms and an informational brochure are available from the [Human Resources Department](#) [Human Resources Office](#) or online at www.edd.ca.gov.

B. State Disability Insurance (SDI): To protect employees who miss work due to a non-work-related accident or illness, the law requires that a small percentage of each employee's wages, up to the prevailing maximum, be deducted each pay period for disability insurance. There is a seven-day waiting period before benefits are payable. Benefits are paid directly to the employee by the state. Disabled employees who are eligible will be paid a percentage of their regular earnings for a maximum period provided by law in any one year. Benefits are based on the wages paid during a specific 12-month base period, depending upon when the claim is filed. Claim forms and an informational brochure are available from the [Human Resources Department](#) [Human Resources Office](#).

Sick time benefits may be coordinated with SDI (see Policy 3030, Sick Time).

C. Worker's Compensation Insurance: Fresno EOC carries workers' compensation insurance coverage as required by law to protect employees who are injured on the job. In general, this insurance provides medical, surgical, and hospital treatment in addition to payment for loss of earnings that result from work-related injuries. Disability payments for qualified employees begin from the first day of an employee's hospitalization or after the third day following the injury if an employee is not hospitalized. Sick time benefits may be coordinated with workers' compensation benefits (see Policy 3030, Sick Time).

D. Business Travel Accident Insurance: The Group Travel Accident Insurance Plan provides all-risk accident protection against most types of accidents while an employee is traveling on business, including flying as a passenger (but not as a pilot or crew member) in any commercial non-charter aircraft or an aircraft operated by Fresno EOC. All employees are eligible for coverage under this plan when they are traveling on business for Fresno EOC. Business travel means travel for the purpose of furthering the business of the Fresno EOC. Injuries sustained during the course of everyday travel to and from work, leaves of absence or vacations are not, for the purpose of this insurance, regarded as injuries sustained during business travel. The maximum amount payable under this plan is described in the summary plan document. There is no additional cost to the employee for this benefit.

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III. HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT – PRIVACY RULE (HIPAA):

The HIPAA Privacy Rule regulates the use and disclosure of Protected Health Information (PHI) held by “covered entities” (generally health care clearinghouses, employer-sponsored health plans, health insurers, and medical service providers that engage in certain transactions). PHI is any information held by a covered entity which concerns health status, provision of health care, or payment for health care that can be linked to an individual. This is interpreted broadly and includes any part of an individual’s disclosure of Protected Health Information (PHI) held by covered individual within 30 days upon request. They also must disclose PHI when required to do so by law such as reporting suspected child abuse to state child welfare agencies.

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POLICY 3060 RETIREMENT PLANS

PURPOSE: To provide eligible employees with retirement benefits and provide all employees with the opportunity to establish a savings plan to supplement retirement income.

POLICY: It is the policy of Fresno EOC to provide a defined contribution retirement plan funded by contributions made by Fresno EOC. Additionally, Fresno EOC has established the opportunity for all employees to save for retirement through a voluntary, self-directed retirement plan. All benefits provided in the plan are described in the plan document which is available for review in the ~~Human Resources Department~~Human Resources Office by any plan participant or beneficiary.

REFERENCE: Pension Plan of Fresno EOC as amended; Internal Revenue Code § 415; Employee Retirement Income Security Act of 1974; 1991 Omnibus Bill. Internal Revenue Code § 403(b), (12); DOL Regulation 2510.3-29(f).

PROCEDURES:

I. RETIREMENT PLANNING

In addition to providing a defined contribution retirement plan and a self-directed retirement savings plan, Fresno EOC provides financial planning services at no cost to employees. Employees can contact the ~~Human Resources Department~~Human Resources Office for contact information for the financial planning advisor.

II. 401(a) ~~RETIREMENT~~PENSION PLAN

A. Summary: The 401(a) ~~Retirement~~Pension Plan is provided by the Agency at an equivalent of 5% of an employee's gross pay.

B. Eligibility: To become a participant in the plan, an employee must reach age 21, and complete ~~two six years months~~ of service. ~~A year of service is defined as a year (counting from the hire date or from the anniversary of the hire date)~~ in which the employee worked at least ~~5004,000~~ hours.

~~C. Vestment: An employee will be vested in the plan at two years of continuous service with the agency. Separation before completion of two years of service will result in forfeiture of the 401(a) plan.~~

~~D. Enrollment: An employee who becomes eligible will be notified of their eligibility and will automatically be enrolled in the Plan. All employees are required to designate a beneficiary.~~

~~E. Benefit Calculation:~~

1. An employee begins participating and receiving benefits on the first day of the month after meeting eligibility.

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2. The agency contribution benefit is equal to 5% of an employee's gross pay each pay period.

~~EE.~~ Distribution of Funds: Employees should refer to the third-party administrator website for distribution and loan information.

III. 403(b) TAX SHELTERED PLAN

A. Summary: The 403(b) plan gives an employee the opportunity to put contributions into a retirement savings plan. Employee participation in the program is voluntary.

B. Eligibility: An employee who normally works at least 20 hours per week is eligible to participate.

C. Enrollment: An employee can enroll in the voluntary contribution plan by ~~either completing an enrollment form or~~ registering an ~~online~~-account and electing contributions.

D. Contributions:

1. This plan consists of voluntary contributions as elected by the employee. There are no employer contributions to this plan.
2. Contributions may be made as a percentage of pay or a fixed amount. Annual contributions are limited to the amounts allowed under IRC §415(b). Catch-up contributions under IRC §414(v) are allowed for employees over age 50.
3. The plan offers both pre-tax Salary Reduction and after-tax Roth Contributions options. Employees may elect to divide their contributions between these options.

E. Distribution of Funds: Employees should refer to the third-party administrator website for distribution and loan information.

IV. 457(b) DEFERRED COMPENSATION PLAN

A. Eligibility: Employees may participate in the plan immediately if they belong to a select group of management or key highly compensated employees.

B. Enrollment: An eligible employee can enroll in the voluntary contribution plan by either completing an enrollment form or registering an online-account and electing contributions. ~~Eligible employees will be notified and given the opportunity to enroll.~~

C. Contributions:

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1. Eligible employees are allowed to make voluntary contributions to the plan up to the limits allowed under IRC §415(b); catch-up contributions are permitted under the 3-Year Special Catch-up rule.
2. Employer contributions that are non-elective and discretionary are allowed but must have appropriate approval.

D. Distribution: Employees should refer to the third-party administrator website for distribution and loan information.

V. PLAN REPORTING

Quarterly financial and investment reports are prepared and reviewed by the assigned Finance Office staff and are approved by the [Board of Commissioners or designated committee](#). ~~board Pension Committee~~. Transaction and balance activity is gathered from the monthly statements received from the record-keeper.

Annual 1099-R and IRS Form 945 are processed by record-keeper.

Upon request, a report can be generated reflecting the balances in the plan by participant. Detailed information regarding employer and employee contributions, income, and withdrawals, is included. These reports and others are available through the [third-party administrator](#) ~~Transamerica Sponsor~~ website.

VI. AMENDMENTS/TERMINATION OF THE PLAN

Fresno EOC reserves the right to amend the Retirement Plans. Plan amendments cannot reduce a participant's interest in the vested account balance, nor divert any portion of Plan assets to any purpose other than the payment of retirement benefits or defraying reasonable trust expenses. The Board of Commissioners of Fresno EOC has the authority to terminate the Plan by appropriate resolution and amendment. In the event of a Plan termination, a participant's interest in the Plan remains one hundred percent (100%) vested and non-forfeitable, and the participant's interest will be distributed as if the participant had terminated employment prior to retirement.

POLICY 3070 — VACCINATION POLICY

PURPOSE: In accordance with Fresno EOC's duty to provide and maintain a workplace that is free of known hazards, the Agency strongly encourages employees to receive vaccines that safeguard the health of employees and their families; clients and guests, and community at large from infectious diseases, such as COVID-19 or other illnesses. This policy will comply with all applicable laws and is based on guidance from the Centers for Disease Control and Prevention, California Department of Public Health, California Civil Rights Department, and local health authorities, as applicable.

POLICY: All employees are encouraged to receive vaccinations as determined by Fresno EOC.

PROCEDURES:

I. — VOLUNTARY VACCINATION:

A. — Vaccination against communicable diseases is not longer a mandatory requirement for employment with Fresno EOC. All individuals are free to choose whether to receive vaccinations.

B. — The Agency strongly encourages employees to consult with their healthcare providers to make informed decisions about vaccination based on their individual circumstances, medical history, and the recommendations of public health authorities.

C. — Employees who choose to get vaccinated are encouraged to provide documentation of their vaccination status to the designated authority, which will be kept confidential in accordance with applicable privacy laws.

II. — SAFETY MEASURES AND MITIGATION:

1. — The Agency will continue to implement and enforce safety measures and protocols to protect the health and well being of employees, contractors, and visitors, regardless of vaccination status.

2. — Safety measures may include but are not limited to, practicing good hygiene, maintaining physical distancing where feasible, providing personal protective equipment, and adhering to relevant public health guidelines and regulations.

POLICY 3080 — HEALTH AND WELLNESS PLATFORM

PURPOSE: Fresno EOC values its employees and their contributions to the success of the Agency. Fresno EOC endeavors to provide employees with a wellness program that protects their health and well-being now and in the future. This health and wellness policy is in conjunction with any agency and program requirements/mandates for vaccinations.

POLICY: It is the policy of Fresno EOC to be committed to the health of its employees.

PROCEDURES:

I. — ELIGIBILITY

The employee wellness policy applies to all our employees. However, some specific benefits may be for benefit eligible, or benefit enrolled employees only.

The Agency provides a wellness program that promotes employee health and disease prevention. Each employee can have a personalized wellness plan and a variety of wellness resources.

II. — WELLNESS RESOURCES

Fresno EOC provides the following wellness resources, discounts, or other incentives at no cost:

- Access to Health and Wellness Coach
- Wellness Competition Platform
- Discounted Gym Membership
- Fitness Activities
- Employee Assistance Program and wellness website

As part of the wellness program, Fresno EOC may use third-party vendors such as gyms, wellness centers, coaches, physicians, and health education providers. Physicians or health experts may ask employees to answer assessment questions and take biometric screenings to determine their health risk and help them follow a suitable program. Participation in and completion of questions and screenings are voluntary and regulated.

III. — WELLNESS INCENTIVES

Fresno EOC encourages employees to participate in our wellness programs and provides incentives to do so. Employees may be eligible for rewards for meeting wellness objectives as part of the personalized wellness plan. Incentives and rewards may come in the form of gifts or gift cards.

Some incentives and rewards may be considered taxable by the IRS. Fresno EOC will follow and process IRS regulations and others that may apply.

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IV. — EMPLOYEES WITH DISABILITIES

~~Fresno EOC wants all employees to have access to wellness plans and resources they can use. Fresno EOC will make reasonable accommodation for employees with disabilities, who are pregnant or have other medical restrictions. Physicians and wellness experts may consult with the Human Resources Department/Human Resources Office to help affected employees have a suitable wellness plan. The Agency will also provide wellness incentives and rewards to employees who participate in the wellness programs without discriminating against protected classes.~~

~~Employees are encouraged to reach out to the Human Resources Department/Human Resources Office to request accommodation(s). Any information provided will be kept confidential.~~

III. — LEGALITY OF WELLNESS PROGRAM

~~Fresno EOC will ensure that all information is handled and processed following legal and confidentiality requirements.~~

IV. — GENETIC INFORMATION AND DISABILITY

~~Any genetic information and disability status information learned by the Agency during this process will not be used to create a disadvantage for employees in any way. Wellness incentives and rewards are not offered in exchange for genetic information or for health/medical information of employees or their family members. Fresno EOC and the providers used in the wellness program will not coerce employees into providing health/genetic information or taking medical examinations.~~

~~Fresno EOC and the wellness providers will endeavor to identify what information is needed prior to enrollment or use of the programs. Employees will be able to readily know who has access to this data and why. All data will be kept confidential, and the Agency will be able to access aggregated (summarized) data.~~

V. — VOLUNTARY PARTICIPATION

~~Fresno EOC encourages employees to participate in the wellness program, but participation is strictly voluntary. There will be no punishment, retaliation, or other adverse action for employees who choose not to use the wellness resources and program.~~

VI. — INCENTIVES

~~Incentives and rewards given to employees will be issued within legal guidelines. All employees who participate in our wellness program will receive the same incentive or reward, regardless of accommodation status.~~

V. — DESIGN

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The wellness program is designed with employee health in mind. The goal for the program to be engaging without being time-consuming or a financial burden for participating employees. Fresno EOC welcomes ideas and suggestions from employees to make it an effective wellness program.

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POLICY 307099 – VACATION DONATION POLICY

PURPOSE: The purpose of vacation donation program is to provide employees facing medical emergencies themselves or by family members that will require prolonged absences from work and will result in a substantial loss of income to the employee. This policy enables employees to take the necessary time to address their personal or family needs without having to worry about the financial implications of being away from work for an extended period.

POLICY: It is the policy of Fresno EOC to endeavor to provide support to our employees when feasible.

REFERENCE: ~~(executive order, labor code, other laws)~~

PROCEDURES:

I. BENEFIT OF VACATION DONATION PROGRAM

The Vacation Donation Program demonstrates compassion and solidarity among colleagues. It allows employees to support each other during difficult times, fostering a sense of community and mutual care within the agency.

Vacation donation programs contribute to maintaining a healthy work-life balance, as well as allow employees to prioritize their well-being and attend to personal matters without compromising income. Employees who are assisted the vacation donation program to address medical emergencies are likely to return to work with a clearer mind and higher productivity.

II. ELIGIBILITY

Donor: Any employee who has accrued a minimum of one day of vacation time can donate to the program.

Recipient: ~~An employee must be employed for at least twelve (12) months and has been with the agency for at least three months is to be~~ eligible to apply for and receive donated vacation time, participate in the vacation donation program as a donor or recipient.

Employees who experience a qualifying medical emergency personally or with a family member's illness, or similar unforeseen circumstances that necessitate leave of absence and have exhausted all available paid leave options are eligible to receive donated vacation time.

III. DONATION PROCESS

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Donors must submit a Vacation Donation Form to the Human Resources Office indicating the amount of vacation time they wish to donate. Non-exempt staff can donate in increments of one hour; exempt staff can donate in increments of one day. Donations cannot exceed more than one-half of an employee's annual accrual. Once donated, the vacation time cannot be returned to the donor.

Donors can donate vacation time to the vacation donation bucket. Donated vacation pay will be paid as the receiving employee's base hourly rate of pay. Donor employees may not claim an expense, a tax deduction or a charitable contribution for any of the leave donated under the plan. All paid leave granted to the recipient employee is considered wages and is subject to appropriate tax withholding.

The Human Resources Office will verify the donor's eligibility and process the donation accordingly.

Donated vacation time will be maintained in a bucket until applied accordingly to an eligible recipient employee's balance.

IV. RECIPIENT APPLICATION

Employees seeking to receive donated vacation time must submit a written request to the Human Resources Office, along with supporting documentation outlining the circumstances necessitating additional leave (some exceptions may apply).

The Human Resources Office will review the application and determine the eligibility of the recipient based on the severity of the circumstances and the availability of donated vacation time.

V. ALLOCATION OF DONATED TIME

Donated vacation time will be allocated to recipients on a first-come, first-served basis, subject to approval by the Human Resources Office.

The maximum amount of donated vacation time a recipient may receive in a calendar year is twenty-five (25) days. Nothing in this policy will be construed to limit or extend the maximum allowable absence under the Family and Medical Leave Act and other leave policies.

All information regarding the donation and recipient of vacation time will be kept confidential by the Human Resources Office and shared only with the relevant parties involved.

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This Vacation Donation Policy may be revised as necessary by the Human Resources Office to ensure compliance with applicable laws and regulations and to address any unforeseen circumstances that may arise.

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POLICY 3080 EMPLOYEE ASSISTANCE PROGRAM

PURPOSE: The Employee Assistance Program is a confidential resource that helps employees deal with life's challenges and the demands that come with balancing home and work. The program provides professional counseling and referrals for a wide array of personal and work-related concerns.

POLICY: It is the policy of Fresno EOC to recognize that personal problems may have a negative impact on an employee's attendance, job performance, or behavior at work. Employees may occasionally benefit from professional assistance with personal problems. Accordingly, Fresno EOC provides an Employee Assistance Program (EAP) for all employees.

REFERENCE: California Labor Code §§ 1025-1026, Civ. Code § 56 et seq., California Constitution, Article 1, § 1.

PROCEDURES:

I. EMPLOYEE ASSISTANCE PROGRAM

The Employee Assistance Program is administered by an outside employee assistance firm. The EAP provides confidential and professional counseling and when appropriate, referral to other services to address personal problems. The EAP is offered to enhance personal well-being.

Employees who need assistance with a personal life situation should contact EAP. Although employees are encouraged to use the EAP, participation in the program does not relieve an employee of their obligation to perform their work in a satisfactory manner and to comply with other Fresno EOC rules and guidelines including Fresno EOC's Alcohol/Drug-Free Workplace policy.

If a violation of Fresno EOC's Alcohol/Drug-Free Workplace policy occurs, subsequently using the EAP will not necessarily lessen discipline and may, in fact, have no bearing on the determination of appropriate discipline (see Policy 5040, Alcohol/Drug-Free Workplace). The employee's decision to seek assistance from the EAP will not be used as a basis for discipline and will not be used against the employee in any disciplinary proceeding. On the other hand, using the EAP will not be a defense to the imposition of discipline where facts proving a violation of the Alcohol/Drug-Free Workplace policy are obtained outside of the EAP. Accordingly, the purpose and practice of the Alcohol/Drug-Free Workplace policy and an employee's use of the EAP are not in conflict and are distinctly separate in their application.

II. ELIGIBILITY

The Employee Assistance Program is offered to all employees and all household members.

III. COUNSELING AND REFERRAL SERVICES

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The EAP program provides for up to three (3) free visits per six (6) month period for problem assessment, professional consultation, counseling, information, and/or referral. EAP counseling is typically a three-stage process that includes (1) clarifying the problem, (2) identifying the possible solutions, and (3) developing an action plan. If the action plan calls for treatment by another resource, participating employees will be responsible for paying those fees or some of the costs may be covered under the group health plan. EAP brochures and information for online resources are available from the Human Resources Office.

IV. USE OF THE EAP

Employees should make every effort to schedule EAP appointments before or after working hours, or during meal periods. EAP appointments scheduled during working hours will be treated the same as medical appointments and may be charged against sick time unless it is employer mandated.

V. SELF-REFERRAL

Any employee or dependent who desires confidential assistance with a personal problem should call EAP directly. The EAP will arrange for a counselor to see the individual for confidential consultation.

VI. SUPERVISOR REFERRAL

In collaboration with the Human Resources Office, supervisors may refer an employee to the EAP when the supervisor has reason to believe that an attendance, behavior, or work-performance problem may be the result of a personal problem. Employees may be required to attend the EAP as a condition of employment when deemed necessary. Fresno EOC, however, may take such steps as it deems appropriate in response to the underlying attendance, behavior, or work-performance problem.

VII. CONFIDENTIALITY

All EAP records and services are treated confidentially. The EAP will not share information concerning an individual's involvement in the program without the individual's written permission unless life, safety, or national security is seriously threatened, or disclosure is otherwise required by law.

If an employee is referred to the EAP by the employee's supervisor because of an attendance, behavior, or work performance problem, the EAP will confidentially inform Human Resources whether the employee attends the EAP session(s) and cooperates with the counseling plan. However, no further information will be shared by EAP without the employee's written permission.

VIII. EMERGENCY RESPONSE TO CRITICAL INCIDENTS

In the event of a crisis or a critical incident (e.g., suicide or death of a co-worker, critical accident), the EAP's Critical Incident Response Team responds by debriefing the individuals involved in the traumatic event.

IX. QUESTIONS REGARDING EAP PROGRAM

Questions regarding EAP services should be directed to the Human Resources Office or the EAP provider.

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POLICY 4010 FAMILY AND MEDICAL LEAVE AND CALIFORNIA FAMILY RIGHTS ACT

PURPOSE: To define Fresno EOC's policy and procedures to provide (A) family care and medical leave in accordance with California's Family Rights Act and the Federal Family and Medical Leave Act of 1993:

POLICY: It is the policy of Fresno EOC to provide family, medical, pregnancy and other disability leaves of absences in accordance with applicable law.

REFERENCE: California Family Rights Act, California Labor Code §12945.2, 2 California Code of Regulations § 7291.2 et seq. and § 7297.0 et seq., and the Federal Family and Medical Leave Act of 1993, Genetic Information Nondiscrimination Act, California Labor Code § 132a.

PROCEDURES:

I. FAMILY AND MEDICAL LEAVE

Fresno EOC recognizes that employees may need to provide care for their dependent children, elder parents and certain other family members as defined in Section I(A). Fresno EOC also recognizes that family care obligations can, at times, require an employee to be absent from the workplace for an extended period. For that reason, Fresno EOC has established the following Family and Medical Leave Policy. The intent of this policy is to enable employees to attend to serious medical conditions of certain family members, including their own serious health condition, when necessary. Fresno EOC follows the regulations set forth in the Federal Family and Medical Leave Act (FMLA) and the California Family Rights Act (CFRA). There are times when this leave runs concurrently with other forms of leave of absence.

Employee Eligibility: To be eligible for family and medical leave benefits under FMLA, you must: (1) have worked for Fresno EOC for a total of at least 12 months; (2) have worked at least 1,250 hours over the previous 12-month period; and (3) work at a location where at least 50 employees are employed by Fresno EOC within 75 miles. For eligibility under the CFRA, you must: (1) have worked for Fresno EOC for a total of at least 12 months and (2) have worked at least 1,250 hours during the previous 12-month period.

Leave Available: Eligible employees may receive up to a total of 12 workweeks of unpaid leave during a 12-month period. A 12-month period begins on the date of the employee's first use of family and medical leave. Successive 12-month periods commence on the date of an employee's first use of family and medical leave after the preceding 12-month period has ended. Leave may be used for one or more of the following reasons:

- a. The birth of the employee's child or placement of a child with the employee for adoption or foster care;
- b. To care for employee's family member who has a serious health condition, including a child (meaning biological, adopted, foster child, legal ward, stepchild, or child of a domestic partner or a person standing in loco parentis;

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~~including adult child under CFRA and adult child under FMLA if incapable of self-care because of mental or physical disability), spouse (including domestic partner under CFRA), parent (including biological or an individual who stood in loco parentis; also including under CFRA foster or adoptive parent, parents-in-law, stepparent, or legal guardian), grandparent (under CFRA), grandchild (under CFRA), sibling (under CFRA), or a designated person (under CFRA: meaning any individual related by blood or whose association with the employee is the equivalent of a family relationship). FMLA: To care for the employee's immediate family member (spouse, registered domestic partner, child, or parent) with a serious health condition and CFRA: To care for the employee's family member (spouse, registered domestic partner, child, parent, grandparent, grandchild or sibling), or designated person with a serious health condition.~~ A "designated person" is defined as "any individual related by blood or whose association with the employee is equivalent of a family relationship." Employees shall designate a person at the time the employee requests leave and may limit an employee to one designated person per 12-month period for family care and medical leave;

- c. To take medical leave when the employee is unable to work because of a serious health condition; or
- d. For employees who need to take leave due to a "qualifying exigency" ("Qualifying Exigency Leave") resulting from (See Section IV):
 - 1. Their spouse, son, daughter, and/or parent is a member of the Armed Forces ("Military Member") being deployed on covered active duty to a foreign country; or
 - 2. Their spouse, son, daughter, and/or parent is a member of the National Guard or Reserves ("Military Member") being deployed under a call or order to covered active duty to a foreign country.

For purposes of FMLA, a "serious health condition" entitling an employee to FMLA leave means an illness, injury, impairment, or physical or mental condition that involves:

- a. Inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity (for purposes of this section, defined to mean inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment therefore, or recovery therefrom), or any subsequent treatment in connection with such inpatient care: or
- b. Continuing treatment by a health care provider. A serious health condition involving continuing treatment by a health care provider includes any one or more of the following:

(l) A period of incapacity (i.e., inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment therefore,

or recovery there-from) of more than ~~five (5)~~three consecutive full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:

(A) Two visits to a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or on referral by, a health care provider within 30 days of the beginning of the period of incapacity and the first visit to the health care provider taking place within seven days of the first day of incapacity, or

(B) Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.

(ii) Any period of incapacity due to pregnancy, or for prenatal care.

(iii) Any period of incapacity or treatment for such incapacity due to a chronic serious health condition that involves at least two visits to a health care provider per year. Common ailments do not qualify for FMLA unless complications arise.

Under most circumstances, leave under federal and state law will run at the same time. However, leave because of the employee's disability for pregnancy, childbirth, or related medical condition is not counted as time used under CFRA. Time off because of pregnancy disability, childbirth, or related medical condition does count as family and medical leave under FMLA. Thus, employees who take time off for pregnancy disability and who are eligible for FMLA will also be placed on family and medical leave that runs at the same time as their pregnancy disability leave. If you are pregnant, please review the pregnancy disability leave policy below and notify the ~~Human Resources Department~~[Human Resources Office](#) if you need leave due to your pregnancy.

Leave taken for the birth, adoption, or foster care placement of a child does not have to be taken in one continuous period of time. CFRA/Baby Bonding leave taken for the birth or placement of a child will be granted in a minimum amount of two weeks. However, Fresno EOC will grant a request for a CFRA leave taken for birth/placement of a child for a period of less than two weeks' duration on any two occasions. Any leave taken must be concluded within one year of the birth or placement of the child with the employee.

The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hours schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member) over a 12-month period. In order for time to be counted toward Intermittent FMLA/CFRA. An employee must record intermittent FMLA/CFRA usage on their time sheet. In addition to the above-referenced family and medical leave, Fresno EOC also provides Military Caregiver Leave, which is a protected leave of absence for employees who are a spouse, son, daughter, parent or next of kin of a covered Military Member who need to take time off to care for:

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The Military Member who, while on active duty with the United States Armed Forces, the National Guard, or Reserves, suffered or aggravated a “serious injury or illness” that:

- a. Requires the Military Member to undergo medical treatment, recuperation, or therapy as a result of that serious injury or illness; or
- b. Places the Military Member on the temporary disability retired list.

The Military Member who is a veteran of the Armed Forces, the National Guard, or Reserves (“Veteran Military Member”) 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 who suffered or aggravated a “serious injury or illness” that:

- a. Requires the Veteran Military Member to undergo medical treatment, recuperation, or therapy as a result of that serious injury or illness.

Under those circumstances, an affected employee is entitled to receive up to 26 weeks of unpaid leave in a single 12-month period, which can be taken either in one large block of time or intermittently. An employee who, in the same 12-month period, previously took other family and medical leave is entitled to receive Military Caregiver Leave, but, under those circumstances, the total leave taken will not exceed 26 weeks. For Military Caregiver Leave the 12-month period begins on the date of the employee’s first use of Military Caregiver Leave.

II. MILITARY FAMILY LEAVE

A. Qualifying Exigency Leave - Eligible employees with a spouse, son, daughter, parent or next of kin on active duty, called to active-duty status, having veteran status and has been honorably discharged in the last five (5) years, in the National Guard or Reserves in support of a contingency operation may use their 12 week leave entitlement to address certain qualifying exigencies.

“Qualifying exigencies” include:

- a. Issues arising from a military member’s short notice deployment (i.e., deployment on seven or less days of notice) for a period of seven days from the date of notification;
- b. Military events and related activities (e.g. official ceremonies, programs, or events sponsored by the military or family support or assistance programs, and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross) that are related to the covered active duty or call to covered active duty status of a military member;
- c. Certain childcare and related activities arising from the covered active duty or call to covered active duty status of a military member (e.g. arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis, enrolling or transferring a child in a new school or day care facility, and attending certain meetings at school or a day care facility if they are

628738.3-015313.00001

necessary due to circumstances arising from the covered active duty or call to covered active duty of the military member);

- d. Caring for a military member's parent who is incapable of self-care when the care is necessitated by the military member's covered active duty (e.g. arranging for alternative care, providing care on an immediate need basis, admitting or transferring the parent to care facility, or attending meetings with staff at a care facility);
- e. Making or updating financial and legal arrangements to address a military member's absence;
- f. Attending counseling provided by someone other than a health care provider for oneself, the military member, or the child of the military member, the need for which arises from the covered active duty or call to covered active duty status of the military member;
- g. Taking up to fifteen days of leave to spend time with a military member who is on short-term, temporary rest and recuperation leave during deployment;
- h. Attending certain post-deployment activities, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of 90 days following the termination of the military member's covered active duty status, and addressing issues arising from the death of a military member; and
- i. Any other event that the employee and Fresno EOC agree is a "qualifying exigency" or that qualifies as such under Gov. Code § 12945.2 and Unemployment Insurance Code § 3302.2 where applicable.

B. **Military Caregiver Leave:** Eligible employees with a spouse, child, parent, or next of kin of a covered service member can take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. If a spouse or registered domestic partner both work for Fresno EOC and each wishes to take leave to care for a covered service member, the spouse or registered domestic partner may take a combined total of 26 weeks of leave and must take the leave within the 12-month period.

Certain restrictions on these benefits may apply.

Notice & Certification: If you need family and medical leave and/or Military Caregiver Leave, you may be required to provide:

628738.3-015313.00001

- i. 30-day advance-notice when the need for the leave is foreseeable—where the need for leave is unforeseeable, please inform Fresno EOC as soon as reasonably practical. The employee must submit an electronic request, when able, for approval by the employee's immediate supervisor, program manager/director. If an employee fails to provide the requisite 30-day advance-notice for foreseeable events without any reasonable excuse for the delay, Fresno EOC reserves the right to deny the taking of the leave until at least 30 days after the date the employee provides notice of the need for family care or medical leave. if an employee fails to provide adequate certification the absence will not be covered or protected by FMLA/CFRA and the employee may be subject to discipline, up to and including termination, via the agency's standard attendance policy.

All requests for family care or medical leave should include the anticipated date(s) and duration of the leave.

- ii. Medical certification from a health care provider (both prior to the leave and prior to reinstatement) or, for Qualifying Exigency Leave, a copy of the military member's duty orders or other documentation issued by the military that indicates that the military member has been deployed to covered duty in a foreign country and the dates of the military member's deployment to that foreign country or for Rest and Recuperation leave, a copy of the military member's Rest and Recuperation leave orders, or other documentation issued by the military setting forth the dates of the military member's leave. In addition, for Qualifying Exigency Leave, an eligible employee may be required to provide certification of the exigency necessitating leave. In providing this medical certification, Fresno EOC shall comply with the provisions of the Genetic Information Nondiscrimination Act of 2008 (GINA), which prohibits employers from requesting or requiring genetic information of an employee or family member of the employee, except as specifically allowed by law. To comply with GINA, Fresno EOC is asking that employees not provide any genetic information when responding to this request for medical information. Fresno EOC will not discriminate against any employee on the basis of his or her genetic tests, the genetic tests of that employee's family members, or the manifestation of a disease or disorder in family members of the employee.

The medical certification for leave for the employee's own serious health condition shall include (a) the date on which the serious health condition commenced; (b) the probable duration of the condition; and (c) a statement that, due to the serious health condition, the employee is unable to perform the functions of the position. In addition, Fresno EOC may require the employee to obtain a second opinion from a doctor of Fresno EOC's choosing at Fresno EOC's expense. If the employee's health care provider and the doctor providing the second opinion do not agree, Fresno EOC may require a third opinion, also at

Fresno EOC's expense, performed by a mutually agreeable doctor who will make a final determination. Before permitting the employee to return to work, Fresno EOC requires the employee to provide medical certification that they are able to return to work. An employee may be denied reinstatement until certification is provided. An employee who is denied reinstatement due to a failure to provide medical certification for return to work, may be considered to have voluntarily resigned. An employee who does not provide a medical certification within 15 days and remains absent from work may be considered to have voluntarily resigned.

Any request for medical leave for an employee's own serious health condition or for family care leave to care for a child, spouse, or parent with a serious health condition must be supported by medical certification from a health care provider. For foreseeable leaves, employees must provide the required medical certification before the leave begins. When this is not possible, employees must provide the required certification within 15 calendar days after Fresno EOC's request for certification. Failure to provide the required medical certification within 15 days of being requested to do so may result in a denial of the employee's continued leave and the employee may be considered to have voluntarily resigned. Any request for an extension of the leave also must be supported by an updated medical certification by a health care provider. If a certification is incomplete or insufficient, Fresno EOC will inform the employee in writing of needed information to complete the medical certification. The employee must furnish the additional information within 7 calendar days or the request for leave may be denied, and the employee may be considered to have voluntarily resigned.

For Qualifying Exigency Leave, a copy of the military member's duty orders or other documentation issued by the military that indicates that the military member has been deployed to covered duty in a foreign country and the dates of the military member's deployment to that foreign country; or for Rest and Recuperation leave, a copy of the military member's Rest and Recuperation leave orders, or other documentation issued by the military setting forth the dates of the military member's leave. In addition, for Qualifying Exigency Leave, an eligible employee may be required to provide certification of the exigency necessitating leave.

- iii. Periodic recertification when prior certification expires; and
- iv. Periodic reports during the leave.

When leave is needed to care for an immediate family member or your own serious health condition, and is for planned medical treatment, you must try to schedule treatment so as not to unduly disrupt Fresno EOC's operation. The medical certification for a child, spouse, or parent with a serious health condition shall include (a) the date on which the serious health condition commenced; (b) the probable duration of the condition; (c) the health care provider's

628738.3-015313.00001

estimate of the amount of time needed for family care; and (d) the licensed health care provider's assurance that the health care condition requires family care leave.

Upon receiving notice of your need for family and medical leave and/or Military Caregiver Leave and absent any extenuating circumstances, Fresno EOC will notify you whether the leave will be designated as family and medical leave and/or Military Caregiver Leave within five business days of learning that leave is being taken for a qualifying reason.

A "child" includes a biological, adopted or foster child, stepchild, or a legal ward. "Parent" means a biological, foster, or adoptive parent, a stepparent, or a legal guardian. Parent does not include a parent-in-law. "Spouse" means a partner in marriage or a registered domestic partner.

Compensation During Leave: Family and medical leave is typically unpaid. However, an employee who is granted a medical leave shall be entitled to use any accrued sick time and/or vested vacation benefits during the period of leave. Sick time benefits may be coordinated with State Disability, Paid Family Leave and/or Workers' Compensation temporary disability benefits payable under such a plan, provided the employee has sick or vacation time and elects to coordinate the two benefits. Except to the extent that other paid time is substituted for family care or medical leave, family care (and medical) leave is unpaid.

If the leave is under FMLA only, the employee is required to use accrued and unused vacation or sick leave during the otherwise unpaid portion of the leave, unless otherwise prohibited by the law.

If the leave is under FMLA and CFRA, or CFRA only, for the employee's own serious health condition, the employee is required to use accrued and unused vacation or sick leave during the otherwise unpaid portion of the leave, unless otherwise prohibited by the law.

If the leave is under FMLA and CFRA, or FMLA and PDL, or falls under more than one leave, the laws regarding use of vacation or sick leave that are more favorable to the employee will apply.

If the employee is receiving a partial wage benefit during the family and medical leave (during FMLA only, CFRA only, or FMLA and CFRA leave), the employer and employee may agree to use vacation or sick leave to supplement the partial wage replacement benefit, unless otherwise prohibited by the law.

The substitution of paid leave for family care or medical leave does not extend the total duration of family care and medical leave to which an employee is entitled to beyond 12 weeks in a 12-month period. For example, if an employee has accrued four weeks of unused paid vacation time at the time of the request for family care or medical leave; that paid vacation time will be substituted for the first four weeks of family care or medical leave, leaving up to eight additional weeks of unpaid leave.

628738.3-015313.00001

Benefits During Leave: The Agency will maintain, for up to a maximum of 12 workweeks of family and medical leave and 26 weeks for Military Caregiver Leave, any group health insurance coverage that was provided before the leave on the same terms as if the employee had continued to work. Payments must be received by the 25th of the month. If payment is more than 30 days late Fresno EOC will provide 15-day notice before loss of coverage. Upon the employee's return, reinstatement of health benefits will occur on the 1st of the following month. In some instances, Fresno EOC may recover premiums it paid to maintain health coverage if you do not return to work following family or medical leave.

Employees on family care and medical leave accrue employment benefits, such as vacation benefits, or seniority only when paid leave is being substituted for unpaid leave and only if the employee would otherwise be entitled to such accrual. However, where a CFRA baby bonding leave follows an employee's pregnancy disability leave, Fresno EOC will provide health coverage for the pregnancy disability leave, up to four months, and an additional 12 weeks of CFRA leave.

Job Reinstatement: Under most circumstances, upon return from family and medical leave, you will be reinstated to your previous position, or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. However, upon return from a family and medical leave, you have no greater right to reinstatement than if you had been continuously employed rather than on leave. For example, if you would have been laid off had you not gone on family and medical leave, or if your position has been eliminated during the leave, then you will not be entitled to reinstatement.

Prior to returning to work after taking family and medical leave for your own serious health condition, you will be required to submit a fitness-for-duty certification from your health care professional certifying that you are able to return to work. Failure to provide the fitness-for-duty certification in a timely manner may either delay your reinstatement to your position or result in a denial of your reinstatement request if the certification is never provided.

If you are returning from family and medical leave taken for your own serious health condition, but you are unable to perform the essential functions of your job because of a physical or mental disability, Fresno EOC will engage in the interactive process with you to determine if there is a reasonable accommodation that may be provided to enable you to perform the essential functions of your position to the extent that doing so would not create an undue hardship for Fresno EOC. Your use of family and medical leave will not result in the loss of any employment benefit that you earned or were entitled to before using family and medical leave.

Unlawful Acts: It is unlawful for Fresno EOC to interfere with, restrain, or deny the exercise of any right provided by state or federal family and medical leave law. It is also unlawful for Fresno EOC to refuse to hire or to terminate or discriminate against any individual for being involved in any proceedings related to family and medical leave.

Fresno EOC retains the discretion to transfer the employee temporarily to an alternative position with equivalent pay and benefits which better accommodates the leave.

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~~III. INTERACTIVE PROCESS/LIGHT DUTY ASSIGNMENTS FOR TEMPORARY DISABLED EMPLOYEES WHO HAVE A MEDICAL DISABILITY~~

~~Disability leave as required to reasonably accommodate employees with a qualified disability under the Americans with Disabilities Act (ADA), California Fair Employment and Housing Act, or with a workplace injury.~~

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~~Request: Extended Medical Leave will be granted and used as a reasonable accommodation during the interactive process if requested by the employee. This leave of absence will only be used to extend the period of absence due to an employee's medical disability. An employee, who qualified for FMLA/CFRA and/or PDL has exhausted their leaves and is unable to return to work after the allowable leave described in Section I and/or Section III of this policy, may request an extended medical disability leave in thirty (30) day increments or less. Initial requests for extended medical disability leave must be supported by a medical certification from a health care provider as defined in Section I(D)(2) of this policy. Any request(s) for extensions of this leave must be supported by a note from a health care provider. It is the employee's responsibility to provide the supervisor and/or program manager/director with a status report at least every thirty (30) days. Before returning to work following an extended medical disability leave, an employee must submit a licensed health care provider's verification stating the employee's ability to return to work with or without restrictions and the date the employee is able to return.~~

~~Status of Employee Benefits during Extended Medical Disability Leave: An employee who is granted an Extended Medical Disability Leave shall be entitled to use any accrued sick time and/or vested vacation benefits during the period of disability. Sick time benefits may be coordinated with State Disability and/or Workers' Compensation temporary disability benefits payable under such a plan, provided the employee has sick time and elects to combine the two benefits. Except to the extent that other paid leave is substituted for medical leave, the extended leave is unpaid.~~

~~Group health and life insurance benefits ordinarily provided by Fresno EOC and for which the employee is otherwise eligible may be continued during the extended disability leave but for no more than four (4) months total within a 12 month period, including benefits received during the previous 12-week period. The employee must pay the required contributory amount. Payments must be received by the 25th of the month. If payment is more than 30 days late Fresno EOC will provide 15 day notice before loss of coverage. Upon the employee's return, reinstatement of health benefits will occur on the 1st of the following month. Employees whose total medical leaves, including the extended leave, are in excess of four (4) months and who are enrolled in the health care plan have the right to elect continuation of coverage under COBRA. If a covered person is totally disabled when coverage terminates, benefits will be provided for that totally disabling condition until maximum benefits are paid, the disability ends, or up to twelve (12) months have passed since termination of coverage.~~

~~Reinstatement from Extended Leave: Except as provided by applicable law, Fresno EOC will make every effort to place an employee returning from an approved Extended Medical Disability Leave in the same or comparable position. If such position ceases to exist because of legitimate business reasons or if a position is not available, employment will be terminated,~~

628738.3-015313.00001

~~and the employee will be considered for future openings (see Policy 1090 Recruitment, Selection, and Employment). Employees who do not return after the period of the approved leave expires may be considered to have voluntarily resigned, unless unusual circumstances have prevented the return and a reasonable excuse has been offered and accepted within three (3) workdays after the period of the approved leave expired.~~

~~Procedures: When feasible, Fresno EOC will locate and assign temporary light duty work to employees who are temporarily unable to perform the essential functions of their job due to injury.~~

~~Limitations: A temporary light duty assignment for an injured or ill employee shall stop when any of the following occurs: a) The employee is medically released to perform the essential functions of their regular position; or b) A medical provider deems the employee temporarily unable to perform any work in any capacity; or c) A temporary light duty assignment is no longer available due to operational necessity and/or is otherwise no longer reasonable to provide; or d) The employee's temporary medical limitations and/or restrictions render them unable to continue performing the temporary light duty assignment; or e) The employee is medically determined to have a permanent limitation(s) and/or restriction(s) that prevent them from being able to perform the essential functions of their regular position. When this occurs, Fresno EOC will continue the interactive process by engaging in alternative work search and/or through exhaustion of the interactive process.~~

~~On the job injury/Occupational Disabilities: A temporary disability leave of absence to reasonably accommodate a work related injury will be granted to any employee who sustains a work related disability.~~

~~Disability leave under this section may run concurrently with any medical leave to which the employee is entitled under Section I of this policy. Employees taking disability leave must comply with the Family Care and Medical Leave provisions regarding substitution of paid leaves (Section I(B)), notice (Section I(D)(1)), and medical certification (Section I(D)(2)). An electronic request must be submitted to and approved by the employee's immediate supervisor, program manager/director, and director. For the purpose of applying these provisions, occupational disability leave will be considered to be medical leave. The employee will be responsible for providing periodic updates to the supervisor and/or program manager/director at least every thirty (30) days during the leave concerning status, expected date of return, and continued intent to return to work upon expiration of the leave.~~

~~Subject to any limitations permitted by law, a leave of absence for a work related disability shall be extended for the duration of the work related disability until one of the following situations takes place:~~

- ~~• The employee is released with or without restrictions that can be accommodated.~~
- ~~• Fresno EOC receives medical evidence satisfactory to it that the employee will be unable to return to work.~~
- ~~• The employee resigns.~~

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~~• The position which the employee occupied prior to the leave of absence ceases to exist or is filled for legitimate business reasons.~~

~~B. Status of Employee Benefits during Leave: Accrued sick time benefits or vested vacation benefits may be coordinated with Workers' Compensation temporary disability benefits payable under such a plan, provided the employee has accrued sick time and/or vested vacation benefits and elects to combine the two benefits. Except to the extent that other paid time is substituted for medical leave, the leave is unpaid.~~

~~Group health and life insurance benefits ordinarily provided by Fresno EOC, and for which the employee is otherwise eligible, will be continued during the period of disability for up to four (4) months, and provided the employee pays the required contributory amount. Payments must be received by the 25th of the month. If payment is more than 30 days late Fresno EOC will provide 15-day notice before loss of coverage. Upon the employee's return, reinstatement of health benefits will occur on the 1st of the following month. Employees whose occupational leave is in excess of four (4) months and who are enrolled in the health care plan have the right to elect continuation of coverage under COBRA.~~

~~C. Leave's Effect on Reinstatement: Before returning to work following a leave of absence for a work-related disability, the employee must provide a medical certification from a licensed health care provider stating the date and ability to return to work. Except as provided by applicable law, Fresno EOC will make every effort to place an employee returning from leave in the same or comparable position for which the individual is qualified unless such position is unavailable or ceases to exist because of legitimate business reasons. In such cases, the employee may be terminated and may be considered for future openings (see Policy 1090; Recruitment, Selection, and Employment).~~

~~An employee who fails to report for work at the end of the approved leave may be considered to have voluntarily resigned unless unusual circumstances have prevented the return and a reasonable excuse has been offered and accepted within three (3) workdays after the employee was released to return to work.~~

~~IV. PREGNANCY LEAVE IN ACCORDANCE WITH THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT~~

~~A. Eligibility and Duration~~

~~1. Leave of Absence: Any employee who is disabled due to pregnancy, childbirth, or related conditions may take a pregnancy-related disability leave of up to four months. At the end of the pregnancy disability leave, an employee may request family care or medical leave to which the employee may be entitled under Section I of this policy (Family Care and Medical Leaves).~~

~~2. Temporary Transfer before Childbirth: An employee who is disabled due to pregnancy, childbirth, or related conditions may be entitled to transfer temporarily to a less strenuous or hazardous position or to less strenuous or hazardous duties if the transfer is medically necessary and the transfer can be reasonably accommodated. A~~

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written statement must be provided from a licensed health care provider stating the necessity of the transfer to a less strenuous or hazardous position or to less strenuous or hazardous duties.

B. Substitution of Paid Leave for Pregnancy Related Disability Leave: An employee taking pregnancy related disability leave may, at her option, substitute accrued vacation time or unused sick time for all or a portion of the leave. The substitution of paid leave for pregnancy-related disability leave does not extend the total duration of the leave to which an employee is entitled.

The employee must provide the Agency with a certification from their healthcare provider. The medical certification should include:

1. The date on which the employee became disabled due to pregnancy or the date of the medical advisability for the transfer;
2. The probable duration of the period(s) of disability or the period(s) for the advisability of the transfer; and
3. A statement that, due to the disability, the employee is unable to work at all or to perform any one or more of the essential functions of their position without undue risk to themselves, the successful completion of their pregnancy or to other persons or a statement that, due to the pregnancy, a transfer is medically advisable.

C. Leave's Effect on Benefits: Group health and life insurance benefits ordinarily provided by Fresno EOC, and for which the employee is otherwise eligible, will be continued during the period of pregnancy-related disability leave for up to four (4) months provided the employee pays the required contributory amount. Payments must be received by the 25th of the month. If payment is more than 30 days late Fresno EOC will provide 15-day notice before loss of coverage. Upon the employee's return, reinstatement of health benefits will occur on the 1st of the following month. Employees whose pregnancy-related disability leave is in excess of four (4) months and who are enrolled in the health care plan have the right to elect continuation of coverage under COBRA. Pregnancy disability leave or a transfer begins when ordered by the employee's health care provider.

D. Other Terms and Conditions of Leave: Upon return from a pregnancy disability leave, the employee is required to provide medical certification from their health care provider that they are able to return to work. Under most circumstances, upon submission of certification from a health care provider that the employee is able to return to work from a pregnancy disability leave, the employee 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 pregnancy disability leave has no greater right to reinstatement than if they had been continuously employed.

The provisions of Fresno EOC's Family Care and Medical Leave policy regarding the leave's effect on pay (Section I(C)), notice requirements (Section I(D)(1)), medical Certification requirements (Section I(D)(2)); and reinstatement (Section I(E)) also apply to all pregnancy-

628738.3-015313.00001

related disability leaves. However, for pregnancy-related disabilities, there is no process for obtaining more than one medical opinion. For the purpose of applying those provisions, an employee's pregnancy-related disability is considered to be a serious health condition.

IV. SAFE HARBOR GENETIC INFORMATION NON-DISCRIMINATION ACT (GINA)

The Genetic Information Notification Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or acquiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, Fresno EOC will not provide any genetic information when responding to a request for medical information. Genetic information, as defined by GINA, including an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual family member sought or received genetic services, and genetic information of a fetus carried by an individual or any individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

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402010 A- INTERACTIVE PROCESS/LIGHT DUTY ASSIGNMENTS

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PURPOSE: To define Fresno EOC'S interactive process for light duty and modified assignments.

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POLICY: It is the policy of Fresno EOC to engage in the interactive process for light duty and modified assignments. Engaging in this process provides is a benefit to the employee and the agency.

PROCEDURES:

Disability leave is as required to reasonably accommodate employees with a qualified disability under the Americans with Disabilities Act (ADA), California Fair Employment and Housing Act, or with a workplace injury.

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I. REQUEST:

A. Extended Medical Leave will be granted and used as a reasonable accommodation during the interactive process if requested by the employee. This leave of absence will only be used to extend the period of absence due to an employee's medical disability. An employee, who qualified for FMLA/CFRA and/or PDL has exhausted their leaves and is unable to return to work after the allowable leave described in Section I and/or Section III of this policy, may request an extended medical disability leave in thirty (30) day increments or less. Initial requests for extended medical disability leave must be supported by a medical certification from a health care provider as defined in Section I(D)(2) of this policy. Any request(s) for extensions of this leave must be supported by a note from a health care provider. It is the employee's responsibility to provide the supervisor and/or program manager/director with a status report at least every thirty (30) days. Before returning to work following an extended medical disability leave, an employee must submit a licensed health care provider's verification stating the employee's ability to return to work with or without restrictions and the date the employee is able to return.

B. Status of Employee Benefits during Extended Medical Disability Leave: An employee who is granted an Extended Medical Disability Leave shall be entitled to use any accrued sick time and/or vested vacation benefits during the period of disability. Sick time benefits may be coordinated with State Disability and/or Workers' Compensation temporary disability benefits payable under such a plan, provided the employee has sick time and elects to combine the two benefits. Except to the extent that other paid leave is substituted for medical leave, the extended leave is unpaid.

C. Group health and life insurance benefits ordinarily provided by Fresno EOC and for which the employee is otherwise eligible may be continued during the extended disability leave but for no more than four (4) months total within a 12-month period, including benefits received during the previous 12-week period. The employee must pay the required contributory amount. Payments must be received by the 25th of the month. If payment is more

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than 30 days late Fresno EOC will provide 15-day notice before loss of coverage. Upon the employee's return, reinstatement of health benefits will occur on the 1st of the following month. Employees whose total medical leaves, including the extended leave, are in excess of four (4) months and who are enrolled in the health care plan have the right to elect continuation of coverage under COBRA. If a covered person is totally disabled when coverage terminates, benefits will be provided for that totally disabling condition until maximum benefits are paid, the disability ends, or up to twelve (12) months have passed since termination of coverage.

II. REINSTATEMENT FROM EXTENDED LEAVE:

-Except as provided by applicable law, Fresno EOC will make every effort to place an employee returning from an approved Extended Medical Disability Leave in the same or comparable position. If such position ceases to exist because of legitimate business reasons or if a position is not available, employment will be terminated, and the employee will be considered for future openings (see Policy 1090 Recruitment, Selection, and Employment). Employees who do not return after the period of the approved leave expires may be considered to have voluntarily resigned, unless unusual circumstances have prevented the return and a reasonable excuse has been offered and accepted within three (3) workdays after the period of the approved leave expired.

Procedures: When feasible, Fresno EOC will locate and assign temporary light duty work to employees who are temporarily unable to perform the essential functions of their job due to injury.

III. LIMITATIONS:

A temporary light duty assignment for an injured or ill employee shall stop when any of the following occurs: a) The employee is medically released to perform the essential functions of their regular position with or without reasonable accommodation; or b) A medical provider deems the employee temporarily unable to perform any work in any capacity; or c) A temporary light duty assignment is no longer available due to operational necessity and/or is otherwise no longer reasonable to provide; or d) The employee's temporary medical limitations and/or restrictions render them unable to continue performing the temporary light duty assignment; or e) The employee is medically determined to have a permanent limitation(s) and/or restriction(s) that prevent them from being able to perform the essential functions of their regular position. When this occurs, Fresno EOC will continue the interactive process by engaging in alternative work search and/or through exhaustion of the interactive process.

On the job injury/Occupational Disabilities: A temporary disability leave of absence to reasonably accommodate a work-related injury will be granted to any employee who sustains a work-related disability.

Disability leave under this section may run concurrently with any medical leave to which the employee is entitled under Section I of this policy. Employees taking disability leave must comply with the Family Care and Medical Leave provisions regarding substitution of paid leaves (Section I(B)), notice (Section I(D)(1)), and medical certification (Section I(D)(2)). An

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electronic request must be submitted to and approved by the employee's immediate supervisor, program manager/director, and director. For the purpose of applying these provisions, occupational disability leave will be considered to be medical leave. The employee will be responsible for providing periodic updates to the supervisor and/or program manager/director at least every thirty (30) days during the leave concerning status, expected date of return, and continued intent to return to work upon expiration of the leave.

Subject to any limitations permitted by law, a leave of absence for a work-related disability shall be extended for the duration of the work-related disability until one of the following situations takes place:

- The employee is released with or without restrictions that can be accommodated.
- Fresno EOC receives medical evidence satisfactory to it that the employee will be unable to return to work.
- The employee resigns.
- The position which the employee occupied prior to the leave of absence ceases to exist; the employee requests an indefinite leave of absence; or the leave can no longer be accommodated because of ~~is filled for~~ legitimate business reasons.

IVB.—STATUS OF EMPLOYEE BENEFITS DURING LEAVE:

Accrued sick time benefits or vested vacation benefits may be coordinated with Workers' Compensation temporary disability benefits payable under such a plan, provided the employee has accrued sick time and/or vested vacation benefits and elects to combine the two benefits. Except to the extent that other paid time is substituted for medical leave, the leave is unpaid.

Group health and life insurance benefits ordinarily provided by Fresno EOC, and for which the employee is otherwise eligible, will be continued during the period of disability for up to four (4) months, and provided the employee pays the required contributory amount. Payments must be received by the 25th of the month. If payment is more than 30 days late Fresno EOC will provide 15-day notice before loss of coverage. Upon the employee's return, reinstatement of health benefits will occur on the 1st of the following month. Employees whose occupational leave is in excess of four (4) months and who are enrolled in the health care plan have the right to elect continuation of coverage under COBRA.

V.C. LEAVE'S EFFECT ON REINSTATEMENT

÷Before returning to work following a leave of absence for a work-related disability, the employee must provide a medical certification from a licensed health care provider stating the date and ability to return to work. Except as provided by applicable law, Fresno EOC will make every effort to place an employee returning from leave in the same or comparable position for which the individual is qualified unless such position is unavailable or ceases to exist because of legitimate business reasons. In such cases, the employee may be terminated

and may be considered for future openings (see Policy 1090, Recruitment, Selection, and Employment).

An employee who fails to report for work at the end of the approved leave may be considered to have voluntarily resigned unless unusual circumstances have prevented the return and a reasonable excuse has been offered and accepted within three (3) workdays after the employee was released to return to work.

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POLICY 40~~3020~~ LEAVES OF ABSENCE

PURPOSE: To clarify and distinguish the parameters and procedures for authorized leaves for eligible Fresno EOC employees.

POLICY: It is the policy of Fresno EOC to provide authorized leaves of absence for specified periods of time to all eligible employees on a non-discriminatory basis. Leaves will be considered for personal reasons, education, bereavement, and legally required absences as set forth below.

REFERENCE: California Labor Code § 230. California Election Code § 14350. California Labor Code § 1025. California Labor Code §§ 1040-1044. California Labor Code §§ 230.7-230.8. California Labor Code § 230.3, CA SB 579, [CA SB 848](#).

PROCEDURES:

I. PERSONAL LEAVE

Regular full-time and part-time employees may request a personal leave of absence without pay for personal compelling reasons for a reasonable period of time, up to thirty (30) days. Extensions may be granted in up to thirty (30) day increments due to special circumstances but may not exceed a total of four (4) months.

Personal leaves due to compelling reasons may involve circumstances such as family emergencies and family or personal disabilities for which the employee is not otherwise eligible for leave (see Policy 4010, Family and Medical Leave and California Family Rights Act).

A. Requests: An employee must submit a request for Personal Leave ~~in writing~~, accompanied by electronic time off requests, which must include the reason for the request, and approved by the employee's immediate supervisor and program manager/director. Requests for leaves of absences will be considered at the discretion of Fresno EOC and on the totality of circumstances, including, but not limited to the employee's length of service, performance, responsibility level, the reason for the request, the urgency of the situation, whether other individuals are already out on leave, and the expected impact of the leave on the employee's department. It is the employee's responsibility to report to work at the end of the approved leave.

B. Status of Employee Benefits during Personal Leave: During the leave of absence, the employee may use any accrued vacation benefits. However, the use of vacation benefits will not extend the duration of the leave. Group health and life insurance benefits ordinarily provided by Fresno EOC, and for which the employee is otherwise eligible, may be continued during the period of the leave, provided the employee pays the required contributory amount. Payments must be received by the 25th of the month. If payment is more than 30 days late Fresno EOC will provide 15-day notice before loss of coverage. Upon the employee's return, reinstatement of health benefits will occur on the 1st of the following month. No vacation, sick time, or seniority will accrue during a leave without pay.

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Any leave taken under this provision that qualifies as leave under the state and/or federal family/medical leave acts, will be counted as family/medical leave and charged against the entitlement of twelve (12) work weeks of family/medical leave in a twelve (12) month period.

C. Leave's Effect on Reinstatement: An employee who fails to report to work on the day after the leave expires will be considered to have voluntarily resigned, unless unusual circumstances have prevented the employee from returning and a reasonable excuse has been offered and accepted within three (3) workdays after the leave expired.

Every effort will be made to place an employee in the same or comparable position after the end of the leave unless such a position is unavailable or ceases to exist because of legitimate business reasons. If a position is not available, the employee will be laid off, and the employee may be considered for future openings (see Policy 1090 Recruitment, Selection, and Employment).

II. EDUCATIONAL LEAVE

Regular full-time and part-time employees may request an Educational Leave without pay for a reasonable period of time not to exceed four (4) months per rolling calendar year. Educational leave may be granted when the educational program undertaken is likely to enhance Fresno EOC's capabilities to provide service to the public. Consequently, the training should have as its objective either an increase in the effectiveness of an employee in the current job assignment or be designed to enhance the employee's advancement possibilities within Fresno EOC.

An employee may be granted up to six (6) hours of time off during the normal work week per semester to attend an approved educational program, unless it would cause undue hardship to the program.

This time off is unpaid; however, the employee may use existing vacation benefits, if available and approved. Fresno EOC reserves the right to request that the employee furnish written verification from the school as proof that the employee participated in school activities on the specific date at the specific time. Failure to provide written verification is grounds for ~~corrective action~~ disciplinary action. See Section I (A), (B), and (C) of this policy for the application process, status of benefits, and reinstatement.

III. BEREAVEMENT LEAVE

Active employees who have experienced a death or terminal illness in the immediate family will be granted an emergency paid leave of up to five (5) working days per fiscal year. Subsequent bereavement leave is unpaid, but the employee can use accrued time. Immediate family is defined as: employee's spouse, domestic partner as defined by law, child, stepchild, parent, stepparent, parent-in-law, child-in-law, sibling, ~~step sibling~~ stepsibling, grandparent, grandchild, or an adult who stood in loco parentis to the employee during childhood.

Active employees who have experienced a death or terminal illness in the extended family will be granted an emergency paid leave of up to one (1) working day. Extended family is defined as: brother-in-law, sister-in-law, aunt, uncle, or spouse or domestic partner's grandparent.

The employee will be paid the regular rate for each of the scheduled workdays missed and may be required to furnish satisfactory evidence to support the leave. The employee must request bereavement leave in writing and approved by the employee's supervisor and program manager/director. Employees ~~under discipline for attendance issues~~ may be required to provide documentation with regard to their bereavement leave, including but not limited to a death certificate, published obituary, or written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or governmental agency. The employee asked to submit such documentation must do so within 30 days of the first day leave is used.

The leave need not be consecutive but must be taken within one year from the date of loss.

Employees may be allowed up to four hours of bereavement leave to attend the funeral of a fellow regular employee or retiree of the Agency, provided such absence from duty will not interfere with normal operations of the agency.

The Agency will not refuse to provide the leave or discriminate/retaliate against an employee who utilizes leave under this policy.

IV. CIVIC RESPONSIBILITIES

Employees who do not have sufficient time outside of their regular working hours to vote in an election may request time off to vote. If possible, employees should give at least two working days' notice to their supervisor that time off for voting is desired if the employee knows or has reason to know of the need for the time off. Up to two hours of paid time off will be provided at the beginning or end of the employee's regular shift, whichever will allow the most free time for voting and require the least amount of time off, unless otherwise mutually agreed.

It is Fresno EOC's policy to enable its employees to fulfill their civic obligations. An employee who is called for jury duty or is required by law to appear in court will be provided time off for that purpose and will be paid regular pay less amounts received for jury duty or service as a witness. This does not apply in the case of legal or criminal action brought against an employee. It is the employee's responsibility to notify the supervisor as soon as notice has been received that the employee has been requested for jury duty or required to appear. The employee must provide a copy of the jury summons or subpoena to appear in court. In order to receive pay for days of absence, the employee must submit electronic time off requests and present a certificate or time sheet from the court verifying jury service or testimony for each day of absence to the supervisor. The employee's time sheet shall indicate jury duty for days of absence. The employee will be required at the end of the obligation to provide a copy of the jury or witness check whereby an adjustment will be made on the next paycheck, or the jury or witness check may be endorsed over to Fresno EOC. Any mileage received will be retained by the employee. The employee is expected to return to work each day when they are

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not selected as a juror or they are released from service during normal working hours and must return to work at the completion of their obligation.

V. ALCOHOL AND DRUG REHABILITATION LEAVE

Fresno EOC will make reasonable accommodations to employees who have enrolled voluntarily in a drug or alcohol rehabilitation program. Employees who have enrolled in a rehabilitation program will be given unpaid time off to participate in the program unless it would result in undue hardship on Fresno EOC. Fresno EOC will make reasonable efforts to keep confidential the fact that the employee is enrolled in the program.

This time off is unpaid; however, the employee may use any accrued sick time or accrued vacation benefits while on leave. This leave may run concurrently with any other medical leave to which the employee is entitled (see Policy 4010, Family and Medical Leave and California Family Rights Act).

To qualify for a leave, the employee will be required to provide a certification of enrollment within 15 days of the request and successfully complete the program to return to work. An employee who does not provide a certification within 15 days and remains absent from work may be considered to have voluntarily resigned.

VI. LITERACY ASSISTANCE

Any employee who needs time off to attend an adult literacy education program should make the request through the supervisor. Fresno EOC will attempt to make reasonable accommodations for the employee of up to six (6) hours of time off during the normal work week, unless it would cause an undue hardship to do so. This time off is unpaid; however, the employee may use existing accrued vacation benefits, if available and approved. Fresno EOC will also attempt to safeguard the privacy of the fact that an employee is enrolled in an adult literacy education program.

VII. OTHER LEGALLY REQUIRED LEAVES

An employee who has a child enrolled in kindergarten through grade twelve (12), or cared for by a licensed childcare provider, may take time off from work, up to 40 hours each year, not exceeding 8 hours in any calendar month, for certain child-related activities. These activities are: (1) to find, enroll, or reenroll a child in a school or with a licensed childcare provider; (2) to participate in activities of the school or licensed childcare provider; or (3) to address a childcare provider or school emergency.

“Parent” means a parent, guardian, stepparent, foster parent, grandparent, or a person who stands in loco parentis to a child. “Child care provider or school emergency” means that the child cannot remain in school or with the child care provider because: (1) the school or child care provider has requested that the child be picked up; (2) the school or child care provider has an attendance policy (excluding planned holidays) that prohibits the child from attending or requires the child be picked up; (3) behavioral or discipline problems; (4) closure or

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unexpected unavailability of the school or child care provider (excluding planned holidays); or (5) a natural disaster including fire, earthquake, or flood.

To take time off under reasons (1) or (2), the employee must give reasonable notice to their supervisor. To take time off under reason (3), the employee must simply give notice to their supervisor as soon as possible. An employee may use vacation time for the visits, if available and approved. A supervisor may request the employee to provide documentation from the school or childcare provider verifying the date and time of the child-related activity.

If both parents of the child work for Fresno EOC, the parent who first gives notice is eligible for the time off. The other parent may be permitted to take time off, under the conditions set forth in this policy, only if a supervisor authorizes the leave of absence. An employee requested to appear at their child's school due to the child's suspension may take an unpaid leave of absence provided that the employee gives Fresno EOC reasonable notice of the request to appear.

VIII. SCHOOL APPEARANCE LEAVE

An employee that is the parent or legal guardian of a child suspended from school is entitled to take an unpaid leave to comply with the principal's written request of the employee's presence at the school, provided the employee gives reasonable advance notice to the Agency. Check with the [Human Resources Department](#) [Human Resources Office](#) for eligibility and scheduling before taking any leave to attend.

IX. ORGAN AND BONE MARROW DONOR LEAVE

After completing 90 days of employment with Fresno EOC, an employee undergoing an organ donation procedure or treatment related to organ donation may take up to 30 business days of paid leave in a one-year period related to the donation. The one-year period is measured from the date the employee's leave begins and shall consist of 12 consecutive months. Up to 10 days of an employee's accrued but unused vacation or sick time (not PSL) available at the time of leave is to be taken and will be credited against the 30 paid business days of donor leave available for organ donation. An additional unpaid leave of absence, not exceeding 30 business days in a one-year period, will be provided to an employee who is an organ donor, for the purpose of donating the employee's organ to another person.

After completing 90 days of employment with Fresno EOC, any employee undergoing a bone marrow donation procedure or treatment related to bone marrow donation may take up to 5 business days of paid leave in a one-year period related to the donation. The one-year period is measured from the date the employee's leave begins and shall consist of 12 consecutive months. Up to 2 days of an employee's accrued but unused vacation or sick time (not PSL) available at the time of leave is to be taken and will be credited against the 5 business days of donor leave available for bone marrow donation.

An employee must provide written verification that they are an organ or bone marrow donor and that there is a medical necessity for the donation. An employee will be restored to the same or equivalent position upon their return. This leave will not be considered as a break in

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continuous service for the purposes of accrued benefits, salary adjustments and health care. This leave will not run concurrently with FMLA or CFRA and can be taken in one or more periods. Donor leave taken will also not be counted against an employee's seniority/length of service and will not affect eligibility for pay increases or other benefits. Employees who take donor leave will not be retaliated or otherwise discriminated against for doing so.

X. CIVIL AIR PATROL LEAVE

Members of the Civil Air Patrol who have been employed at least 90 days are eligible for an unpaid leave of absence of a maximum of ten (10) days per calendar year for the purpose of responding to an emergency operational mission of the California Wing of the Civil Air Patrol. Under normal circumstances, the leave for a single emergency operation mission shall not exceed three days. Employees shall give the Agency as much notice as possible of the intended dates upon which the Civil Air Patrol leave will begin and end. The Agency may require certification to verify the eligibility of the employee for the leave requested or taken. Employees taking Civil Air Patrol leave are not required to exhaust accrued leave time but may do so at their election.

XI. VOLUNTEER CIVIL SERVICE LEAVE

An employee who is a volunteer firefighter, a reserve peace officer, or emergency rescue personnel who intends to perform emergency duties during work hours, should notify their supervisor that they may have to take time off to perform emergency duty. The employee should also notify their supervisor prior to leaving the premises in the event they need to take time off for emergency duty or training.

An employee who is a volunteer firefighter, reserve peace officer or emergency rescue personnel, will be permitted to take temporary leaves of absence for the purpose of engaging in fire, law enforcement or emergency rescue training. This amount of leave permitted will not exceed an aggregate of 14 days per calendar year.

XII. REPRODUCTIVE LOSS LEAVE

The Agency will provide up to five (5) days of reproductive loss leave upon a qualifying reproductive loss event, so long as the employee has worked for the agency for at least 30 days prior to the commencement of leave. "Qualifying Reproductive Loss Events" are as follows: failed adoption, failed surrogacy, miscarriage, stillbirth, or unsuccessful assisted reproduction. Assisted reproduction means a method of achieving pregnancy –artificial insemination or an embryo transfer and includes gamete and embryo donation. Reproductive loss leave applies if the employee would have been a parent had the Qualifying Reproductive Loss Event not occurred.

Reproductive loss leave is unpaid, but employees may utilize accrued and available paid time off during such leave, including accrued and available vacation and paid sick leave. If an employee experiences more than one reproductive loss event within a 12-month period, the Agency shall not be obligated to grant reproductive loss leave time in excess of 20 days within a 12-month period.

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The five days do not have to be taken in a consecutive manner, but employees must complete leave within three months of the qualifying event. Notwithstanding the three-month limitation, if, prior to or immediately following a reproductive loss event, an employee is on or chooses to go on leave from work pursuant to Pregnancy Disability Leave, the California Family Rights Act, or any other applicable leave entitlement under law, the employee shall complete their reproductive loss leave within three months of the end date of the other leave.

The Agency will not take adverse action against employees for exercising their right to take reproductive loss leave or for giving information or testimony as to their own leave or another employee's leave. The Agency also will not interfere with, retrain, or deny the exercise of, or the attempt to exercise, reproductive loss leave rights.

The Agency will maintain the confidentiality of any employee requesting reproductive loss leave. Any information provided to the Agency will be maintained as confidential and will only be disclosed to internal personnel or counsel, as necessary, or as required by law.

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POLICY 404030 MILITARY LEAVE- UNIFORMED SERVICES EMPLOYMENT & REEMPLOYMENT- RIGHTS ACTS

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PURPOSE: The purpose of this policy is to provide guidance and procedures for granting time off for military leave to full- and part-time regular employees.

POLICY: It is the policy of Fresno EOC to grant short or long-term leaves for uniformed service in accordance with applicable federal and state law.

REFERENCE: Uniformed Services Employment and Reemployment Rights Act of 1994 (Public Law 103-353) the California Military and Veterans Code § 394, and California Assembly Bill 392.

PROCEDURES:

I. MILITARY SERVICE

An employee inducted into military service will be granted an approved unpaid leave of absence and will have reinstatement privileges upon return to the Agency. "Service" is defined as duty on a voluntary or involuntary basis, including: active duty; active duty for training; initial active duty for training; inactive duty training; full-time National Guard duty; and absences for examinations to determine fitness for duty.

The term "service in the uniformed services" means the performance of duty on a voluntary or involuntary basis in a uniformed service and includes active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty, and a period for which an employee is absent for the purpose of an examination to determine fitness to perform any such duty.

A. Long-term Tour of Duty: An employee who enters into or is called to uniformed service duty shall notify the supervisor immediately and shall be granted a leave of absence not to exceed five (5) years. A written verification from the appropriate military authority to the employee's supervisor, and program manager/director. No prior notice of leave is required if it is precluded by military necessity or the giving of such notice is impossible or unreasonable.

B. Short-term Leave of Absence: An employee who is a member of the National Guard or of a reserve component of the Armed Forces shall, upon furnishing a copy of the official orders or instructions, be granted military training leave. Training leaves will not, except in emergency or in the event of extenuating circumstances, exceed two weeks a year, plus reasonable travel time. An employee must submit written verification from the appropriate military authority to the employee's supervisor, and program manager/director. The employee will be expected to return to work the first full regularly scheduled work period following completion of the service (with an eight-hour period for safe transportation).

C. Reinstatement from Leave: Fresno EOC will reinstate an employee returning from leave to their same position or one of comparable seniority, status, and pay if they:

628738.3-015313.00001

1. Have a certificate of satisfactory completion of service;
2. Return the first full regularly scheduled work period (if such first regularly scheduled work period is at least 8 hours after the arrival at the employee's place of residence) following completion of service if service is less than 30 days; apply within fourteen days after release from active duty if active duty was for 30 days but less than 181 days; apply within 90 days if absence was more than 180 days, or within such extended period, if any, as their rights are protected by law; and
3. Are qualified to fill their former position.

Reservists who are ordered to initial active duty for training of not less than twelve consecutive weeks and Selected Reservists on active duty for operational missions are required to apply for reemployment within 31 days of their release from training or service. Fresno EOC is not required to reemploy an employee after military leave if the circumstances have changed as to make such reemployment impossible or unreasonable: if the employment would impose an undue hardship on the employer; or the employment held by the employee was so brief or nonrecurring that there was not reasonable expectation that the employment would continue indefinitely or for a significant period.

D. Leave and Benefits: Employees are permitted, but are not required, to use accrued vacation benefits toward short-term uniformed service time. Any unpaid time off will affect vacation and sick time accrual. Seniority, for the purpose of benefits, will accrue during short-term leaves as defined in Section B of this policy. Eligible employees who take a long-term leave will be paid any accrued vacation on the last day prior to the beginning of the leave. Seniority, for the purpose of benefits, will accrue for no more than five (5) years during long-term tours of duty as defined in Section A of this policy (unless otherwise required by law).

Whenever the uniformed service leave is four (4) months or less, the employee may continue group health and life insurance benefits, if eligible, by paying the required contributory amount. Payments must be received by the 25th of the month. If payment is more than 30 days late Fresno EOC will provide 15-day notice before loss of coverage. Upon the employee's return, reinstatement of health benefits will occur on the 1st of the following month. Employees whose leaves are in excess of four (4) months and who are enrolled in the health care plan have the right to elect continuation of coverage under COBRA. The maximum length of required continuation coverage is the lesser of 18 months beginning on the date the employee became eligible or the day after the date on which the employee fails to apply for or return to active employment with Fresno EOC. Employees returning to work are entitled to reinstate health coverage as if they had never left. Exclusions for pre-existing conditions, proof of good health, and waiting periods do not apply. However, exclusions for illnesses or injuries which were service connected are applied.

II. MILITARY SPOUSE LEAVE

Eligible employees may request Military Spouse Leave for up to ten (10) days when a spouse in the Armed Forces, National Guard or Reserves who has been deployed during a period of military conflict is on leave from military deployment. Employees must provide notice of intent to take Military Spouse Leave within two business days of receiving official notice that the

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military spouse will be on leave from deployment. An employee must submit supporting documentation certifying that the military member will be on military leave from deployment during the time of the requested leave.

To be eligible for Military Spouse Leave, an employee must work an average of 20 or more hours per week and be the spouse of a qualified member of the military. For Military Spouse Leave purposes only, the term "spouse" includes registered domestic partners. The term "qualified member of the military" is defined as (1) a member of the Armed Forces of the United States who has been deployed during a period of military conflict to an area designated as a combat theater or combat zone by the President of the United States; or (2) a member of the Armed Forces Reserve Components or the National Guard who has been deployed during a period of military conflict. Combat zones are designated by the President of the United States. "Military conflict" means a period of war declared by the United States Congress or a period of deployment for which a member of a reserve component is ordered to active duty either by the Governor or the President of the United States. Provided all the conditions of this policy are met, an employee may take a maximum of ten (10) days of Military Spouse Leave. Questions concerning eligibility should be directed to the ~~Human Resources Department~~[Human Resources Office](#).

Leave requested pursuant to this section is unpaid. However, an employee who is granted Military Spouse Leave shall be entitled to use any accrued vacation benefits during the period of leave. Paid sick time during Military Spouse Leave may only be utilized in conformance with Policy 3030 (see Section IV of Policy 3030, Sick Time). The use of paid leave does not extend the total duration of Military Spouse Leave to which an employee is entitled. Employees on Military Spouse Leave accrue employment benefits, such as sick time, vacation benefits, or seniority only when paid leave is being substituted for unpaid leave and only if the employee would otherwise be entitled to such accrual.

Employees who fail to return to work on the first workday after the period of the approved leave expires will be considered to have voluntarily resigned, unless unusual circumstances have prevented the return and a reasonable excuse has been offered and accepted within three (3) workdays after the period of the approved leave expired.

POLICY 405040 DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING VICTIM LEAVE

PURPOSE: To define Fresno EOC's policy and procedure on Domestic Violence, Sexual Assault, or Stalking Victim Leave in accordance with California Labor Code.

POLICY: It is the policy of Fresno EOC to allow employees to take leave for purposes of domestic violence, sexual assault, or stalking to ensure their health, safety, or welfare, or that of their child.

REFERENCE: California Labor Code § 230 and 230.1; Family Code § 6211; Penal Code §§ 261, 261.5, 262, 265, 266, 266a, 266b, 266c, 266g, 266j, 267, 269, 273.4, 285, 286, 288, 288a, 288.5, 289, or 311.4; Family Medical Leave Act of 1993; AB2377

PROCEDURE:

I. DEFINITION

A "victim", for the purposes of this leave, is defined as someone who is a victim of stalking, domestic violence, or sexual assault, a victim of a crime that caused physical injury or that caused mental injury, or a person whose immediate family member is deceased as a direct result of a crime.

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II. DOMESTIC VIOLENCE, SEXUAL ASSAULT AND STALKING VICTIMS' LEAVE: LEGAL PROCEEDINGS/ REASONABLE ACCOMMODATION

If an employee is a victim of domestic violence and/or sexual abuse, the employee may use accrued sick leave or may take unpaid time off from work, to help ensure their health, safety or welfare, or that of their child; to seek medical attention for injuries caused by such abuse; obtain services from a domestic violence shelter; obtain psychological counseling related to an experience of domestic violence; obtain a restraining order; seek court assistance; or similar activities.

III. CRIME VICTIMS' LEAVE

An employee who is the victim of certain crimes (violent felonies, felony thefts and serious felonies as defined by law) or is the immediate family member, registered domestic partner or child of the registered domestic partner of such a victim will be given time off as necessary to attend judicial proceedings in relation to the crime. A "victim" for the purposes of this leave is defined as someone who is 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 direct result of a crime.

Fresno EOC will also allow time off for employees to appear in court to be heard at any proceeding in which the right of the victim is at issue. The victim may be the employee, spouse, parent, child, sibling or guardian. The crimes to which this time off applies is extensive. The employee should ask the ~~Human Resources Department~~[Human Resources Office](#) about their

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particular circumstances. As a condition of taking time off, employees may be required to provide reasonable advanced notice if feasible and documentation establishing the right to such time off. Fresno EOC will make every effort to maintain the confidentiality of any employee requesting crime victim leave. An employee may use accrued paid vacation time that is otherwise available to the employee for this time off.

IVH. REQUESTING TIME OFF

An employee who is a victim of domestic violence, sexual assault, or victims of stalking will not be discriminated or retaliated against when taking time off from work to help ensure their health, safety, or welfare, or that of their child by obtaining:

- A temporary restraining order;
- A restraining order; or
- Other court assistance;
- Medical attention for injuries caused by domestic violence, sexual assault, or stalking;
- Services from a domestic violence shelter, program, or rape crisis center as a result of domestic violence or sexual assault;
- Psychological counseling related to an experience of domestic violence, sexual assault, or stalking; or
- To participate in safety planning and take other actions to increase safety from future domestic violence or sexual assault, including temporary or permanent relocation.

Employees must give Fresno EOC reasonable advance notice of the employee's intention to take time off, unless the advance notice is not feasible. A leave request must be submitted and approved by the employee's immediate supervisor, and program manager/director. Should an unscheduled absence occur, the employee is responsible for providing a certification to Fresno EOC. Certification may be in the form of the following:

- A police report indicating that the employee was a victim of domestic violence, sexual assault, or stalking; or
- A court order protecting or separating the employee from the perpetrator of an act of domestic violence, sexual assault, or stalking or other evidence from the court or prosecuting attorney that the employee has appeared in court; or
- Documentation from a medical professional, domestic violence advocate or advocate for victims of sexual assault, health care provider, or counselor that the employee was undergoing treatment for physical or mental injuries or abuse resulting in victimization from an act of domestic violence, sexual assault, or stalking.

An employee may use up to 24 hours, or 3 days, whichever is greater, of Paid Sick Leave (PSL) in each calendar year of employment (see Policy 3040, Paid Sick Leave).

~~The certification is only valid for a period of one year, updated certifications must be submitted to extend the need for leave past a one year period. should be submitted as the need for leave changes and once the certification meets the one year period.~~ An employee may use accrued and unused vacation or sick time while on leave. Leave may not exceed the unpaid leave time allowed under the unpaid leave permitted by the federal Family and Medical Leave Act within a rolling 12-month period.

~~Fresno EOC will also provide reasonable accommodations for a victim of domestic violence, sexual assault, or stalking who requests an accommodation for the safety of the victim while at work, unless it would constitute an undue hardship on Fresno EOC's business operations. Upon receiving an employee's request for accommodation, Fresno EOC shall engage in a timely, good faith interactive process with the employee to determine effective reasonable accommodations. If an employee is a victim of a crime or abuse, the employee may take leave to obtain or attempt to obtain any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the employee or the employee's child. Leave is typically unpaid, though employees may use available paid time off for such leave.~~

~~A "victim" for the purposes of this leave is defined as someone who is 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 of physical injury, or a person whose immediate family member is deceased as a direct result of a crime.~~

~~Employees are required to provide reasonable advance notice of the employee's intention to take time off, unless advance notice is not feasible. When an unscheduled absence occurs, the Agency will not take any action against the employee if the employee, within a reasonable time after the absence, provides certification/documentation establishing the right to such time off. The Agency will make every effort to maintain the confidentiality of any employee requesting such leave.~~

~~The Agency will also provide reasonable accommodations for a victim of domestic violence, sexual assault, or stalking who requests an accommodation for the safety of the victim while at work, unless it would constitute an undue hardship on the Agency's business operations. Upon receiving an employee's request for accommodation, the Agency shall engage in a timely, good faith interactive process with the employee to determine effective reasonable accommodations.~~

To the extent allowed by law, Fresno EOC shall maintain the confidentiality of any employee requesting leave.

POLICY 5010 WORKPLACE ATMOSPHERE

PURPOSE: ~~To maintain a friendly, congenial and professional atmosphere.~~

~~The purpose of this policy is to provide a safe, supportive, and respectful environment for all employees, where bullying behavior is not tolerated. Fresno EOC is committed to fostering a workplace that promotes inclusivity, fairness, and respect, ensuring that everyone can perform their duties free from harassment or intimidation.~~

POLICY: It is the policy of Fresno EOC that all employees maintain a working environment that encourages mutual respect; promotes civil and congenial relationships among employee; and is free from all forms of harassment, discrimination, retaliation, and violence. Fresno EOC's respect and reputation in the community will be determined by the work we do, and by the employees who represent us. We are proud of those who work for us, and employees can be proud of the positions of trust they hold.

PROCEDURE:

I. DEFINITION

Employees are expected to conduct themselves in an appropriate manner in accordance with this policy.

Employees have the right to conduct their work without disorderly interference from other employees and be treated with respect and professionalism. Employees are also expected to maintain their work area in a neat and professional manner ~~as to so as to~~ not disrupt another employee's work environment or create any safety hazards.

Fresno EOC encourages a congenial work environment of respect and professionalism. Therefore, employees, clients and/or program participants should not:

- verbally abuse others;
- use intimidation tactics and/or make threats;
- sabotage another's work;
- stalk others; or
- make malicious, false and/or harmful statements about others.

II. ANTI-BULLYING POLICY

~~The purpose of this policy is to provide a safe, supportive, and respectful environment for all employees, where bullying behavior is not tolerated. Fresno EOC is committed to fostering a workplace that promotes inclusivity, fairness, and respect, ensuring that everyone can perform their duties free from harassment or intimidation.~~

Scope

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This policy applies to all employees, contractors, interns, and visitors, regardless of their position or role, and covers bullying behavior in the workplace, during work-related travel, at off-site work functions, and on digital platforms associated with Fresno EOC.
The purpose of this policy is to communicate to all employees, including supervisors, managers, and executives, that Fresno EOC will not in any instance tolerate bullying behavior. Employees found in violation of this policy will be disciplined, up to and including termination.

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A. Definition

Fresno EOC defines bullying as repeated, unreasonable actions directed towards an individual or a group that are intended to intimidate, humiliate, degrade, or undermine, or that create a risk to health and safety. Bullying can be verbal, physical, or psychological, and can occur in person or via digital communication (e.g., email, social media). The Agency defines bullying as repeated inappropriate behavior, either direct or indirect, whether verbal, physical, or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment. Such behavior violates the Workplace Atmosphere policy, which clearly states that all employees will be treated with dignity and respect.

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B. Employee Responsibility

All employees share the responsibility to contribute to a positive, respectful, and safe work environment. This includes taking proactive steps to prevent, recognize, and respond to bullying behaviors.

Treat Everyone with Respect:

- Employees are expected to behave professionally and with respect toward their colleagues, supervisors, and subordinates at all times. This includes being mindful of language, tone, and actions in both verbal and written communications.

Lead by Example:

- Employees, especially those in leadership or management roles, are responsible for setting a positive example. This includes demonstrating respectful behavior, managing conflicts professionally, and addressing inappropriate conduct immediately.

Recognize Bullying Behavior:

- Employees should familiarize themselves with the agency's definition of bullying and be aware of common forms of bullying, such as verbal abuse, exclusion, or intimidation. By understanding what constitutes bullying, employees are better equipped to recognize and prevent it.

Speak Up:

- If an employee experiences or witnesses bullying behavior, they are encouraged to speak up. This can be done by:
 - Politely addressing or confronting the bully, if safe and comfortable to do so, and asking them to stop the inappropriate behavior.
 - Reporting the behavior to a supervisor, manager, or Human Resources.
 - Using the agency's reporting mechanisms if they do not feel comfortable reporting directly.

Support Others:

- Employees should support colleagues who may be experiencing bullying. This can include offering emotional support, encouraging them to report the incident, or witnessing any bullying behavior if needed during an investigation.

Cooperate in Investigations:

- Employees who are involved in or witness a bullying incident have a responsibility to cooperate in any subsequent investigation. This includes providing honest, accurate information and respecting the confidentiality of the process.

Avoid Retaliation:

- Employees are responsible for not retaliating against anyone who reports bullying or participates in an investigation. Retaliation can take the form of exclusion, further intimidation, or other forms of negative treatment.

Commit to Self-Improvement:

- Employees are encouraged to continuously develop their interpersonal and conflict resolution skills. This may involve participating in agency-provided training or seeking feedback on their behavior to ensure they contribute positively to the work environment.

Foster a Positive Culture:

- Everyone has a role in building and maintaining a culture of respect and collaboration. Employees should actively contribute to team-building efforts, encourage open communication, and address minor conflicts before they escalate into bullying.

Each and every employee of the Agency is expected to support the implementation of this policy by:

- Conducting themselves in a manner which demonstrates professional conduct, mutual respect for others and which honors diversity in the workplace;
- not engaging in the bullying and harassment of others;
- participating fully and in good faith in any resolution process or formal complaint and investigation process where they have been identified as having potentially relevant information;
- reporting any bullying and harassing behaviors which they experience or observe in the workplace which may be in violation of this policy; and
- respecting the rights to personal dignity, privacy and confidentiality pertaining to this policy.

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C. Management Responsibility

Managers and supervisors play a critical role in maintaining a respectful and safe workplace. In addition to their own behavior, they are responsible for preventing, addressing, and resolving instances of bullying among employees. Their leadership sets the tone for workplace culture and helps ensure the anti-bullying policy is effectively enforced.

Foster a Positive Work Environment:

- Managers must actively create and maintain a work culture where respect, inclusion, and collaboration are encouraged. This includes promoting open communication, teamwork, and professionalism within their teams.

Lead by Example:

- Managers and supervisors must model appropriate, respectful behavior at all times. They should demonstrate the agency's values in their interactions with employees, clients, and other stakeholders. As role models, their behavior sets the standard for how others should conduct themselves.

Be Proactive in Identifying Bullying:

- Managers should be vigilant in identifying any signs of bullying or inappropriate behavior within their teams. This includes monitoring workplace dynamics, listening to employee concerns, and addressing potential issues before they escalate. Early intervention is key in preventing a toxic work environment.

Provide Support to Employees:

- Managers must provide support to employees who report bullying or exhibit signs of distress due to workplace behavior. They should listen to complaints without judgment, ensure confidentiality, and reassure employees that their concerns will be taken seriously.

Encourage Reporting:

- Managers should actively encourage employees to report bullying or any behavior that violates the agency's anti-bullying policy. They should ensure that all employees are aware of the reporting channels and feel comfortable using them without fear of retaliation.

Take Immediate Action:

- Upon receiving a report of bullying, managers are responsible for acting swiftly. This includes:
 - Reporting the matter to Human Resources immediately.
 - Ensuring that the alleged bullying stops during the investigation process.
 - Protecting the privacy of both the complainant and the accused to prevent workplace gossip or unfair treatment.

Cooperate in Investigations:

- Managers are expected to fully cooperate with Human Resources and any investigating bodies in a bullying investigation. They should provide all relevant information and documentation, including witness reports and any previous complaints that may be connected to the case.

Enforce Consequences:

- If an investigation determines that bullying has occurred, managers must ensure that appropriate disciplinary actions are taken promptly and fairly. This may include issuing warnings, suspensions, or even termination, in line with the agency's policy.

Protect Employees from Retaliation:

- Managers are responsible for protecting employees from retaliation after they report bullying or participate in an investigation. This includes monitoring the workplace to ensure that the complainant is not treated unfairly or excluded by colleagues, and addressing any signs of retaliatory behavior immediately.

Provide Training and Education:

- Managers should ensure that employees receive regular training on anti-bullying, conflict resolution, and workplace behavior. They should also promote awareness of the agency's anti-bullying policy and foster continuous dialogue on creating a respectful work culture.

Address Workplace Conflict:

- Managers are responsible for resolving conflicts within their teams before they escalate into bullying situations. This includes holding regular one-on-one meetings with employees to discuss any concerns and providing mediation or conflict resolution support when necessary.

Monitor Workplace Well-being:

- Managers must regularly assess the well-being of their teams by conducting employee satisfaction surveys, one-on-one check-ins, and observing team dynamics. Proactive management can help identify potential issues early on and prevent a bullying culture from developing.

While every employee is responsible for maintaining and contributing to an environment which is free from bullying, those in supervisory positions carry more responsibility with the Agency. Management personnel have additional obligations to make every reasonable effort to establish and maintain a workplace free of bullying or harassment. Related to this policy, their responsibilities include but are not limited to: ensuring that employees have full access to information regarding employer policies and standards;

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- respecting the rights of all parties to a fair, equitable and confidential process for responding to complaints;
- providing support to all those who participate in a problem-solving process; and
- enforcement of corrective and/or disciplinary measures, where applicable.

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Examples of bullying behavior include, but are not limited to:

- Verbal abuse, such as insults, name-calling, offensive nicknames or offensive or jokes.
- Physical intimidation or aggression, including inappropriate gestures or threats.
- Public humiliation or spreading rumors.
- Excluding or isolating individuals from workplace activities; ignoring or interrupting others.
- Excessive and unjustified criticism of work or performance.
- Deliberately overloading someone with work or imposing impossible/unreasonable deadlines; manipulating or impeding in an employee's ability to perform their work.
- Cyberbullying, including harmful or intimidating messages through digital platform.
- Refusing reasonable requests for time off for leave or denying requests for reasons not related to work.
- Taking credit for another person's ideas or work product.

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Bullying may be intentional or unintentional. However, it must be noted that when an allegation of bullying is made, the intention of the alleged bully is irrelevant. As in sexual harassment, it is the effect of the behavior on the individual that is important. The Agency considers the following types of behavior examples of bullying:

- Verbal Bullying: Slandering, ridiculing, or maligning a person or their family; persistent name calling that is hurtful, insulting, or humiliating; using a person as butt of jokes; abusive and offensive remarks.
- Physical Bullying: Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, damage to a person's work area or property.
- Gesture Bullying: Nonverbal threatening gestures; glances that can convey threatening messages.
- Exclusion: Socially or physically excluding or disregarding a person in work-related activities.

(5) In addition, the following examples may constitute or contribute to evidence of bullying in the workplace:

- Persistent singling out of one person.
- Shouting or raising voice at an individual in public or in private.
- Using verbal or obscene gestures.
- Not allowing the person to speak or express themselves (i.e., ignoring or interrupting).
- Personal insults and use of offensive nicknames.
- Public humiliation in any form.
- Constant criticism on matters unrelated or minimally related to the person's job performance or description.
- Ignoring or interrupting an individual at meetings.
- Public reprimands.
- Repeatedly accusing someone of errors that cannot be documented.
- Deliberately interfering with mail and other communications.
- Spreading rumors and gossip regarding individuals.
- Encouraging others to disregard a supervisor's instructions.
- Manipulating the ability of someone to do their work (e.g., overloading, under loading, withholding information, assigning meaningless tasks, setting deadlines that cannot be met, giving deliberately ambiguous instructions).
- Inflicting menial tasks not in keeping with the normal responsibilities of the job.
- Taking credit for another person's ideas.
- Refusing reasonable requests for leave in the absence of work-related reasons not to grant leave.
- Deliberately excluding an individual or isolating them from work-related activities, such as meetings.
- Unwanted physical contact, physical abuse or threats of abuse to an individual or an individual's property (defacing or marking up property).

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POLICY 5020 STANDARDS OF PERFORMANCE AND CONDUCT

PURPOSE: To identify performance and conduct considered improper and unacceptable in the workplace and which may result in ~~corrective action~~disciplinary action.

POLICY: It is the policy of Fresno EOC that employees are expected to observe and demonstrate the highest standards of conduct and professionalism. An employee is expected to conduct themselves in a manner benefiting their status as an employee of Fresno EOC and exercise prudence and discretion in regard to all agency business. When performance or conduct does not meet the standards of the Agency, the Agency will endeavor, when it deems appropriate and at its sole discretion, to provide the employee a reasonable opportunity to correct the deficiency unless Fresno EOC determines such conduct is not able to be remedied or warrants immediate termination. An employee who fails to make the necessary changes in order to be in compliance with this policy will be subject to ~~corrective action~~disciplinary action up to and including termination.

PROCEDURES:

I. STANDARDS

The standards set forth below are intended to provide employees with fair notice of performance and conduct considered improper and unacceptable in the workplace. However, such rules cannot identify every type of unacceptable conduct and performance. Therefore, employees should be aware that conduct not specifically listed below but which adversely affects or is otherwise detrimental to the interests of Fresno EOC, other employees, clients and/or program participants, may also result in ~~corrective action~~disciplinary action up to and including termination.

A. Job Performance: All agency employees shall perform their duties diligently, thoroughly, and properly. An employee may be issued ~~corrective action~~disciplinary action, up to and including termination, for poor job performance, including but not limited to the following:

1. Failure to perform the job duties satisfactorily;
2. Failure to maintain minimum qualifications of the job;
3. Failure to follow established safety regulations;
4. Neglect of duty.

B. Conduct: All agency employees are expected to observe and demonstrate the highest standards of conduct and professionalism. An employee may be issued ~~corrective action~~disciplinary action, up to and including termination, for misconduct including, but not limited to the following:

1. Using offensive, demeaning, or abusive language towards colleagues, supervisors, or clients.

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2. Engaging in behavior that intimidates, harasses, or discriminates against others based on race, gender, religion, sexual orientation, or any other protected characteristic.
3. Refusing to follow reasonable instructions or directions from a supervisor or manager.
4. Engaging in actions that disturb the work environment, such as making excessive noise, interrupting meetings, or arguing with colleagues.
5. Stealing, misuse or unauthorized use of agency property, supplies, or funds, including agency credit cards or expense accounts.
6. Falsifying records, expense reports, or any other agency documents for personal gain.
7. Using agency property such as computers or vehicles, for personal purposes without permission.
8. Falsifying timesheets, clocking in for another employee, or taking extended breaks without approval.
9. Abusing sick leave, vacation time, or other forms of paid time off by providing false reasons for absence.
10. Leaving the job without authorization.
11. Sleeping on the job.
12. Regularly missing work without valid reasons or failing to notify the supervisor in compliance with the attendance policy.
13. Incurring unauthorized meal and rest break period break premiums.
14. Disclosing confidential agency information, trade secrets, or client data with unauthorized individuals or entities.
15. Violating program confidentiality policies concerning information about children, families, and other staff members.
16. Failing to secure sensitive information, leading to data breaches or unauthorized access.
17. Talking about confidential business matters in public places where they could be overheard.
18. Engaging in activities that create a conflict of interest, such as accepting gifts from vendors in exchange for preferential treatment.
19. Providing false information during hiring, performance reviews, or investigations.
20. Claiming another person's work or ideas as your own, especially in reports, presentations, or creative work.
21. Ignoring or violating safety protocols, such as failing to wear required protective gear or not following emergency procedures.
22. Violating vehicle codes and/or agency policies which cause an accident, injury, or property damage.
23. Using, possessing, or being under the influence of alcohol or illegal drugs while on agency premises or during work hours.
24. Consistently ignoring the agency's dress code, wearing inappropriate attire to work or meetings.
25. Making unwanted advances, inappropriate comments, or engaging in any other forms of sexual harassment towards a colleague.

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26. Treating someone unfairly based on their race, gender, age, religion, sexual orientation, or any other protected characteristic.
27. Taking adverse actions against an employee who has reported misconduct, such as bullying or harassment, or who has participated in an investigation.
28. Failing to perform job duties with the required level of care, resulting in errors, accidents, or financial loss.
29. Demonstrating a lack of commitment, such as frequently arriving late, procrastinating, or producing low-quality work.
30. Accessing restricted areas, systems, or confidential information without permission.
31. Making decisions or taking actions that exceed the scope of one's job role without proper authorization.
32. Altering, deleting, or falsifying agency records without authorization.
33. Spreading rumors or engaging in harmful gossip about colleagues or the agency.
34. Allowing personal relationships to interfere with professional duties, such as favoritism or conflicts of interest.
35. Gambling on agency premises or while conducting agency business.
36. Possessing a firearm or other dangerous weapon on agency property or while conducting agency business.
37. Failure to report to Fresno EOC within five (5) days any criminal conviction that may impact the employee's: (1) ability to perform their position duties; (2) licensing under the program the employee works; (3) insurability by the agency carrier; or (4) as otherwise required by law to be disclosed.
38. Stereotyping any child or family on any basis, including gender, race, ethnicity, culture, religion, disability, sexual orientation, or family composition.
39. Leaving children or clients alone or unsupervised while under their care.
40. Use corporal punishment.
41. Use isolation to discipline a child.
42. Binding or tying a child to restrict movement or taping a child's mouth.
43. Use or withhold food as a punishment or reward.
44. Use toilet learning/training methods that punish, demean, or humiliate a child.
45. Use any form of emotional abuse, including public or private humiliation, rejecting, terrorizing, extended ignoring, or corrupting a child.
46. Physically abuse a child.
47. Use any form of verbal abuse, including profane, sarcastic language, or derogatory remarks about the child or child's family.
48. Use physical activity or outdoor time as a punishment or reward.
49. Ignoring grantor requirements relating to any program for the Agency.
50. Engaging in actions that reflect adversely upon grantors and/or the families or communities Fresno EOC serve.
51. Acting in a manner deliberately contradicting the Agency's mission, vision or values.
52. Failure to comply with agency policies and procedures.

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1. Discourteous or unprofessional conduct;
2. Insubordination, including refusal to comply with reasonable request from supervisor or refusal to perform a job assignment;
3. Excessive absenteeism, tardiness, or abuse of break or meal privileges;
4. Dishonesty, fraud, bribery or gratuity;
5. Violation of safety practices, procedures, rules and regulations;
6. Failure to notify supervisor of any inability to report to work;
7. Unauthorized possession, misuse, defacement, or destruction of agency property or the property of another;
8. Theft;
9. Unauthorized removal of agency property from its proper location;
10. Violating conflict of interest rules and accepting gratuities;
11. Disclosing or using confidential or proprietary information without authorization;
12. Falsifying or altering Fresno EOC's or another employee's records or documents, including but not limited to the application for employment and time sheets, etc.;
13. Theft of time
14. Incurring unauthorized meal premiums;
15. Threatening, intimidating, coercing, or otherwise interfering with other employees, clients, and/or program participants;
16. Physical violence;
17. Unruly behavior or "horseplay";
18. Use of obscene, abusive, or offensive language;
19. Harassment as defined in Policy 1030;
20. Being under the influence of, manufacturing, dispensing, distributing, using, or possessing alcohol or illegal or controlled substances on agency property or while conducting agency business;
21. Gambling on agency premises or while conducting agency business;
22. Wearing clothing inappropriate for the work being performed;
23. Smoking where prohibited by local ordinance or agency guidelines;
24. Leaving the job without authorization;
25. Sleeping on the job;
26. Possessing a firearm or other dangerous weapon on agency property or while conducting agency business;
27. Failure to report to Fresno EOC within five (5) days any criminal conviction that may impact the employee's: (1) ability to perform their position duties; (2) licensing under the program the employee works; (3) insurability by the agency carrier; or (4) as otherwise required by law to be disclosed;
28. Failure to report an on the job incident or accident;
29. Causing an accident as a result of operating an agency vehicle in a reckless and negligent manner;
30. Violating vehicle codes and/or agency policies which cause an accident, injury, or property damage;
31. Failure to comply with agency policies and procedures;

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- ~~32. Violating program confidentiality policies concerning information about children, families, and other staff members;~~
- ~~33. Using abusive, profane, sarcastic language or verbal abuse or threats, against or about Fresno EOC, staff, clients or client's family;~~
- ~~34. Failure to conduct themselves in a professional and ethical manner with all employees, co-workers, clients and/or program participants;~~
- ~~35. Engaging in sexual or other inappropriate contact or relationships with program participants;~~
- ~~36. Ignoring grantor requirements relating to any program for the Agency;~~
- ~~37. Engaging in actions that reflect adversely upon grantors and/or the families or communities we serve;~~
- ~~38. Acting in a manner deliberately contradicting the Agency's Mission, Vision or Values;~~
- ~~39. Violation of any agency rule, policy, or procedure.~~
- ~~40. Stereotyping any child or family on any basis, including gender, race, ethnicity, culture, religion, disability, sexual orientation, or family composition;~~
- ~~41. Leaving children or clients alone or unsupervised while under their care;~~
- ~~42. Use corporal punishment;~~
- ~~43. Use isolation to discipline a child;~~
- ~~44. Bind or tie a child to restrict movement or tape a child's mouth;~~
- ~~45. Use or withhold food as a punishment or reward;~~
- ~~46. Use toilet learning/training methods that punish, demean, or humiliate a child;~~
- ~~47. Use any form of emotional abuse, including public or private humiliation, rejecting, terrorizing, extended ignoring, or corrupting a child;~~
- ~~48. Physically abuse a child;~~
- ~~49. Use any form of verbal abuse, including profane, sarcastic language, threats, or derogatory remarks about the child or child's family; or,~~
- ~~50. Use physical activity or outdoor time as a punishment or reward;~~

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These examples of conduct violations do not affect the at-will status of all employment whereby an employee can be terminated with or without cause or advance notice.

II. DISCIPLINARY CORRECTIVE ACTION

The level of discipline used to correct performance and conduct deficiencies will be determined ~~in light of considering~~ the facts and circumstances of each individual case at the sole discretion of Fresno EOC. ~~Each incident will be considered by a variety of factors, including: (1) the seriousness of the incident and the impact to the Agency; (2) the employee's past conduct; (3) the nature of any previous incidents; and (4) the general practice as it relates to the incident (see Policy 5030, Progressive Discipline).~~

The Agency will not tolerate retaliation against any employee for cooperating in an investigation or for making a complaint in good faith.

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POLICY 5030 PROGRESSIVE DISCIPLINE

PURPOSE: To establish procedures with respect to coaching and ~~corrective action~~disciplinary action while ensuring ~~corrective action~~disciplinary action procedures are applied uniformly. To give employees who violate agency policies the opportunity to improve by advising what specific actions they should take to meet performance and conduct standards unless the employee's misconduct is determined to warrant immediate termination.

POLICY: It is the policy of Fresno EOC that all employees are required to comply with the Agency's standards of performance and conduct and that any noncompliance will be addressed accordingly. Fresno EOC has implemented a ~~corrective action~~disciplinary action system that supports uniformity. Circumstances and employee conduct may warrant eliminating one or more steps in the ~~corrective action~~disciplinary action system, possibly resulting in immediate suspension or termination. Nothing in this policy modifies Policy 1010 which provides that employment with Fresno EOC is at-will and can be terminated at any time with or without notice or cause.

PROCEDURES:

I. DOCUMENTED COACHING

Supervisors are expected to regularly coach employees and correct performance and/or conduct issues immediately. The goal of coaching is to work with the employee to solve performance problems and to improve the work of the employee and the organization. Employees who fail to respond positively to informal coaching may receive ~~corrective action~~disciplinary action and/ or be placed on a Performance Improvement Plan (PIP).

II. PROGRESSIVE DISCIPLINE

~~Fresno EOC maintains the right to escalate the progressive discipline process considering the level of discipline used to maintain the standards of performance and conduct will be determined in light of considering the facts and circumstances of each individual case, at the sole discretion of Fresno EOC.~~ Each incident will be considered based on a variety of factors, including but not limited to: (1) the seriousness of the incident and the impact to the Agency; (2) the employee's past conduct; (3) the nature of any previous incidents; and (4) the general practice as it relates to the incident.

All progressive discipline must be formally documented and submitted to the Human Resources Office before for approval being issued to the employee.

There are two paths for progressive discipline: Performance and Conduct. For attendance violations see Policy 1160, Attendance Policy.

Depending on the circumstances and nature of the incident, Fresno EOC may place an employee on paid administrative leave pending the results of an investigation. Paid administrative leave must be approved by the ~~program-responsible~~ Officer and may not exceed a maximum of four weeks.

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A. ~~Verbal Warning Counseling Memo~~: If an employee is not meeting Fresno EOC standards of performance and/or conduct, the employee's supervisor should take the following action:

1. Issue a ~~Verbal Warning Counseling Memo~~ to the employee;
- ~~2.~~ Inform the employee of the nature of the problem and that continued failure to meet Fresno EOC's standards and expectations for performance and conduct will result in more severe discipline up to and including termination;
3. Require the employee to read and sign the ~~verbal warning memo~~. If the employee refuses to sign, ~~the issuer witness(es)~~ will indicate refused to sign on the employee signature line. An employee has up to five (5) business days to provide a written response;
4. Submit the signed ~~verbal warning memo~~ to the ~~Human Resources Department~~ Human Resources Office to be filed in the employee's personnel file. A copy of the memo will be provided to the employee.

B. Written Warning: If there is a continued breach of performance or conduct standards, or if the severity warrants, the supervisor should hold a meeting with the employee and take the following action:

1. Issue a Written Warning to the employee;
2. Inform the employee that continued failure to meet the Fresno EOC's standards and expectations for performance and/or conduct will result in more severe ~~corrective action~~ disciplinary action up to and including termination;
3. Require the employee to read and sign the ~~written warning reprimand~~. If the employee refuses to sign, ~~the issuer witness(es)~~ will indicate refused to sign on the employee signature line. The employee will have up to five (5) business days to provide a written response; and
4. Submit the signed Written Warning to the ~~Human Resources Department~~ Human Resources Office to be filed in the employee's personnel file. A copy of the form will also be provided to the employee.

C. Final Warning or Suspension: If there are additional occurrences, and/or depending on the severity of the performance and/or conduct issues, the supervisor should take the following action:

1. Recommend a Final Warning or Suspension to the Program Director, responsible Officer and ~~Human Resources Department~~ Human Resources Office;

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2. Meet with the employee and Human Resources Manager/Director/Officer to issue a Final Warning or Suspension ~~(without pay for up to five working days)~~, indicating the next breach will warrant termination;

2.3. A letter of suspension will be issued to the employee indicating it is without pay ~~(for up to five working days)~~.

3.4. Submit the signed suspension notice form to the ~~Human Resources Department~~ Human Resources Office to be filed in the employee's personnel file. A copy of the form will be provided to the employee.

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All suspensions, including those that may lead to termination, must be reviewed by and approved by the program manager/director, responsible Officer and ~~Human Resources Department~~ Human Resources Office.

D. Termination: An employee may be discharged for poor performance, misconduct, or other violations of Fresno EOC's rules of conduct (see Policy 5020, Standards of Performance and Conduct). Discharges must be approved by the responsible Officer with approval by the Head Start Policy Council when applicable. Prior to discharging an employee under this policy, the ~~Human Resources Director/Officer~~ Human Resources Office will be consulted to ensure proper documentation and procedures have been followed.

As required by Federal Head Start rules, if the Head Start Policy Council disagrees as to the discharge of a Head Start employee, a committee shall be established with representatives of the Policy Council, Head Start staff and Fresno EOC. The committee shall meet and confer in an attempt to resolve the difficulty and clarify the termination criteria to be utilized.

III. DEMOTION

The program manager, with the approval of the director, may demote an employee for discipline reasons at any point during the process outlined above. A demotion is a change of any employee from a position of one pay grade to a position in a lower pay grade. The employee must meet the qualifications for the position in the lower grade. Demotions must be documented in writing and specify the cause for such action. Approval must be granted by the responsible Officer. Approval by the Head Start Policy Council, where applicable, is also required.

IV. SERIOUS MISCONDUCT

In cases involving serious misconduct, or any time the supervisor determines it is necessary, such as a breach of policy or violation of law, the procedures contained above may be accelerated.

The Program Director, with approval from the responsible Officer and ~~Human Resources Director/Officer~~ Human Resources Office will determine, based on the facts, if the employee will be placed on paid administrative leave or unpaid suspension. The ~~Human Resources~~

~~Department~~Human Resources Office will conduct an investigation of the allegations or misconduct to determine what further action, if any, should be taken, including termination.

V. INCIDENT REVIEW

An incident review is a process in which minor concerns or incidents will be reviewed by the program before escalation to the ~~Human Resources Department~~Human Resources Office. An incident review will be conducted by program management for the purpose of determining the facts involved in any suspected violation of Fresno EOC rules and regulations, except for allegations of discrimination, harassment, bullying or retaliation. These allegations will be investigated by the ~~Human Resources Department~~Human Resources Office.

A typical review consists of interviewing the involved employee(s) and any witnesses, finding and assessing any physical evidence, and evaluating the facts. The ~~Human Resources Department~~Human Resources Office may be required to assist with the review. The interviewer should advise the witness as to the nature of the situation requiring investigation. Confidentiality shall be maintained during incident reviews to the extent possible. Only those with a business need-to-know should be told about the allegations and interviews, and participants should be requested not to discuss the situation with others in order to preserve the integrity of the review.

VI. TIME LAPSE BETWEEN PREVIOUS DISCIPLINE

If an employee completes twelve (12) months without further discipline under this policy, any failure to meet performance or conduct may be treated as a first occurrence under this policy. However, Fresno EOC may still consider all past discipline in the continuation of employment and/or evaluating the performance of an employee (see Policy 704030, Performance Evaluations). Past discipline(s) are relevant when making employment decisions and when evaluating an employee's overall performance.

POLICY 5040 ALCOHOL/DRUG FREE WORKPLACE

PURPOSE: It is the intent of Fresno EOC to maintain a workplace that is free of drugs and alcohol.

POLICY: It is the policy of Fresno EOC that the Agency has a vital interest in maintaining safe and efficient working conditions for its employees. Substance abuse is incompatible with the health, safety, efficiency, and success of Fresno EOC. Employees who are under the influence of drug(s) or alcohol on the job compromise Fresno EOC's interests, endanger their own health and safety and the health and safety of others.

Fresno EOC has established this policy to further its interest in avoiding accidents, to promote and maintain safe and efficient working conditions for employees, and to protect property, equipment, and operations. Each employee must abide by this policy as a condition of continued employment with Fresno EOC.

REFERENCE: Drug-Free Workplace Act of 1988 (DFWA), 41 U.S.C. § 701, et seq.; Drug-Free Workplace Act of 1990 (CDFWA), Gov. Code § 8359 et seq.; Americans with Disabilities Act (ADA), 42 U.S.C. § 12101 et seq.; The Rehabilitation Act, 29 U.S.C. § 701 et seq.; Omnibus Transportation Employee Testing Act (OTETA): Gov. Code § 8350 et seq.; California Confidentiality of Medical Information Act, Civ. Code § 56 et seq.; California Labor Code 1026; Federal Controlled Substances Act.

PROCEDURES:

I. PROHIBITED CONDUCT

Employees are prohibited from using, selling, dispensing, distributing, possessing, or manufacturing illegal drugs, controlled substances, narcotics, legal drugs including marijuana or alcoholic beverages on Fresno EOC premises or work locations, and in Agency vehicles. The exception to this policy is Agency-sponsored events with a special waiver by the Chief Executive Officer for alcoholic beverages. if on agency premise a day liquor license must be obtained by the Alcoholic Beverage Commission Department.

Supervisors, as well as any other employees, should immediately report any action by an employee who demonstrates an unusual or affected behavior to their immediate supervisor and ~~Human Resources Director/Officer~~ Human Resources Office. Employees believed to be at work under the influence of illegal drugs, controlled substances, narcotics, legal drugs including marijuana or alcoholic beverages will be approached by the supervisor who will initiate the appropriate action. An employee in a designated safety-sensitive position as described in Section VII# will be subject to drug and/or alcohol testing as described in Section VII ~~(B)~~ (E) of this policy.

II. DISCIPLINARY ACTION

A. Criminal Convictions: Employees are required by this policy to notify Fresno EOC within five days of any conviction that may impact the employee's: ability to perform their position

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duties, licensing under the program the employee works, insurability by the Agency carrier; or as otherwise required by law to be disclosed. Failure to notify Fresno EOC of the above will result in discipline up to and including termination. When required by federal law, Fresno EOC will notify any federal agency with which it has a contract of any employee who has been convicted under a criminal drug and/or alcohol statute.

B. Discharge for Violation of Policy: Employees will be subject to discipline, up to and including termination, for violations of this policy. Violations include, but are not limited to: possessing illegal drugs, controlled substances, narcotics, legal drugs including marijuana or alcoholic beverages at work; being under the influence of those substances while working; using them while working; or dispensing, distributing, transporting, or manufacturing or selling them on Fresno EOC premises or work locations, and Agency vehicles. However, the Agency will not discriminate against an employee or applicant, or otherwise penalize an employee or applicant, based on the person's use of cannabis off the job and away from the workplace, or on the basis of an employer-required drug screening that has found the person to have "non-psychoactive cannabis metabolites" in their system unless otherwise prohibited by state or federal law.

C. Discretion Not to Discharge: Fresno EOC may choose not to discharge an employee for a violation of this policy if the employee satisfactorily completes participation in an approved drug or alcohol abuse assistance or rehabilitation program when recommended by Fresno EOC or the employee contacts an Employee Assistance Program (EAP) and follows the recommendations made by the EAP, including satisfactory completion of or participation in an approved drug or alcohol abuse assistance or rehabilitation program.

D. Effect of Criminal Conviction: An employee who is convicted under a criminal drug/alcohol statute for a violation occurring on work duty will be deemed to have violated this policy.

III. USE OF OVER-THE-COUNTER (OTC)/PRESCRIBED MEDICATION

Fresno EOC recognizes that an employee may, from time to time, be prescribed medication that, when taken as prescribed or according to the manufacturer's instructions, may result in their impairment. Employees must report their use of over the counter or prescribed medications to their supervisor if the use might impair their ability to perform their job safely and effectively. Employees may not work while impaired using prescribed medication if the impairment might endanger the employee or someone else, pose a risk of significant damage to Fresno EOC property, or substantially interfere with the employee's job performance. To accommodate the absence, the employee may use accrued sick time or vacation benefits. The employee may also qualify for an unpaid leave of absence, such as family care or medical leave. Nothing in this policy is intended to sanction the use of accrued sick time or vacation benefits to accommodate absences due to the abuse of prescribed medication. Further, nothing in this policy is intended to diminish Fresno EOC's commitment to employ or reasonably accommodate qualified disabled individuals. Fresno EOC will reasonably accommodate any qualified disabled employee who must take prescribed medication because of a disability if, with such reasonable accommodation, the employee can perform the essential functions of the position.

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IV. UNREGULATED OR AUTHORIZED CONDUCT

A. Customary Use of Over-the-Counter Drugs: Nothing in this policy is intended to prohibit the customary and ordinary purchase, sale, use, possession, or dispensation of over-the-counter drugs, so long as that activity does not violate any law or result in an employee being impaired using such drugs in violation of this policy.

B. Off-the-Job Conduct: This policy is not intended to regulate off-the-job conduct, so long as the employee's off-the-job use of alcohol or drugs does not result in the employee being under the influence of or impaired using alcohol or drugs in violation of this policy while at work. An employee, while not consuming alcohol at work, may be under the influence from off-duty consumption or have a strong smell of alcohol, which affects their ability to professionally perform job duties. An employee in a designated safety-sensitive position, as described in Section VII, will be subject to drug and/or alcohol testing as described in Section VII (B) of this policy.

V. CONFIDENTIALITY

To safeguard privacy rights, disclosures made by an employee to their supervisor concerning their use of legal drugs will be treated confidentially and will not be disclosed to any other person unless there is an important work-related reason to do so in order to determine whether it is advisable for the employee to continue working. For the same reason, disclosures made by an employee to their supervisors concerning their participation in a drug and/or alcohol rehabilitation program will be treated as confidentially as possible.

VI. COUNSELING/EMPLOYEE ASSISTANCE

Fresno EOC maintains an Employee Assistance Program, which provides help to employees who seek assistance for drug and/or alcohol abuse as well as for other personal or emotional problems. An employee who suspects that they may have an alcohol and/or drug problem, even in the early stages, is encouraged to voluntarily seek diagnosis and to follow through with the treatment as prescribed by qualified professionals.

Participation in counseling, including Fresno EOC-sponsored or required counseling, is confidential and should not have any influence on performance evaluations. Job performance, not the fact that an employee seeks counseling, is to be the basis of all performance evaluations.

VII. DRUG AND ALCOHOL TESTING

A. Reasonable Suspicion Testing for Current Employees: An employee may be referred by a supervisor or other management to the Agency's Occupational Health provider for evaluation when there is reason to believe that an employee is intoxicated or under the influence of drugs, including controlled substances, during work hours. Evidence of such behavior may include, but is not limited to: slurred speech, uneven gait, mood swings, violent temper, excessive absenteeism and tardiness, a reportable work-related accident or injury, or an avoidable accident involving a vehicle or causing property damage.

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B. Procedures for Drug and Alcohol Testing: Fresno EOC will refer the applicant or employee to an independent, National Institute on Drug Abuse (NIDA)-certified medical clinic or laboratory, which will administer the test. Fresno EOC will pay the cost of the test. The employee will have the opportunity to alert the clinic or laboratory personnel to any prescription or nonprescription drugs that have been taken that may affect the outcome of the test. All drug testing will be performed by urinalysis. Initial screening will be done by EMIT II. All urine specimens will be analyzed for the following drugs: (1) marijuana (THC metabolite); (2) cocaine; (3) amphetamines; (4) opiates (including heroin); and (5) phencyclidine (PCP). Positive results will be confirmed by gas chromatography/mass spectrometry.

Alcohol testing will be conducted using a calibrated evidential breath-testing device (EBT). If the test result is less than .02, the test is negative. If the test result is .02 or greater, a confirmation test will be performed. The clinic or laboratory will inform Fresno EOC as to whether the applicant passed or failed the drug or alcohol test. Failure of the test by the employee will be considered a violation of this policy and the employee will be subject to discipline up to and including termination.

Employees who have engaged in alcohol or drug misuse as indicated by the above testing procedure will not be permitted to return to safety-sensitive duties until they have been evaluated by a substance abuse professional, have complied with recommended treatment and rehabilitation, and had a negative result on a return-to-duty test. Follow-up testing to monitor continued abstinence may be required.

C. Acknowledgment and Consent: Any employee subject to testing under this policy will be asked to sign a form acknowledging the procedures governing testing and consenting to (1) the collection of a urine sample for the purpose of determining the presence of alcohol or drugs, and (2) the release to Fresno EOC of medical information regarding test results. Refusal to sign the agreement and consent form, or to submit to a drug and/or alcohol test, will result in the revocation of an applicant's job offer, or will subject an employee to discipline up to and including termination. Applicants, as a condition of employment, must consent to Fresno EOC obtaining information on their drug and/or alcohol test results for the previous two years. The driver's previous employers will be requested to furnish reports on any positive tests and/or refusals to test.

D. Confidentiality: All drug and/or alcohol testing records will be treated as confidential.

E. Fitness for Duty: To protect the health and well-being of our employees, and to maintain a safe work environment for employees and clients, Fresno EOC reserves the right to request a Fitness for Duty evaluation when:

- There is reasonable cause for serious concern about an employee's ability to perform duties safely;
- An employee's behavior is grossly inappropriate for the workplace;
- There is reasonable concern for workplace safety; or
- Medical clarification is needed to support a reasonable accommodation request.

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All matters will be treated as confidential.

The Agency will not tolerate retaliation against any employee for cooperating in an investigation or for making a complaint.

F. Testing of Applicants or Employees for Designated Safety-Sensitive Positions are subject to the current Transit Systems Drug and Alcohol Testing Policy.

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POLICY 5050 MANDATORY REPORTING OF CHILD ABUSE

PURPOSE: The purpose of this policy is to ensure that all employees, contractors, and volunteers understand their legal and ethical responsibilities to report any suspected cases of child abuse or neglect. The safety and well-being of children are of paramount importance, and prompt reporting is essential to protect children from harm. To inform employees of their responsibility to report known or suspected instances of child abuse.

POLICY: Fresno EOC is committed to the protection of children and requires all employees, contractors, and volunteers to report any suspected cases of child abuse or neglect immediately. Failure to report suspected abuse may result in legal consequences and disciplinary action up to and including termination by the Agency. It is the policy of Fresno EOC that employees who work with children are required by law to report any known or suspected child abuse to the appropriate authorities.

REFERENCE: California Penal Code, §§ 11164-11174.4

PROCEDURE:

I. DEFINITIONS

- A. **Child Abuse:** Any act or failure to act that results in physical harm, emotional harm, sexual abuse, exploitation, or neglect of a child under the age of 18. This includes physical abuse, emotional abuse, sexual abuse, and neglect.
- B. **Neglect:** The failure of a parent, guardian, or other caregivers to provide for a child's basic needs, including food, clothing, shelter, medical care, and supervision, which may result in harm or risk of harm to the child.
- C. **Mandatory Reporter:** Any employee, contractor, or volunteer who, in the course of their work, interacts with children or has reason to believe that a child has been subjected to abuse or neglect.

II. REPORTING OBLIGATIONS

- A. **Immediate Reporting:** Any employee, contractor, or volunteer who suspects or becomes aware of child abuse or neglect must report the situation immediately. Reports should be made as soon as possible and within the same working day that the suspicion arises.
- B. **Who to Report To:** Reports should be made directly to the designated Child Protection Officer (CPO) within the Agency. If the CPO is unavailable, the report should be made to the employee's immediate supervisor or directly to local child protective services or law enforcement authorities.
- C. **How to Report:** Reports can be made in person, by phone, or in writing. The report should include all relevant details, such as the child's name, the nature of the suspected abuse, the name of the suspected perpetrator, and any other information that may assist in the investigation.

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D. Confidentiality: The identity of the individual making the report will be kept confidential to the extent possible, consistent with the need to conduct a thorough investigation and comply with legal requirements.

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Programs that interact with children including, but not limited to Head Start, WIC, Sanctuary and Support Services, and SOUL, are required to comply with their program-specific regulations that may include other federal/state reporting requirements.

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III. PROTECTION FROM RETALIATION

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A. ~~Non-Retaliation~~: Fresno EOC strictly prohibits retaliation against anyone who, in good faith, reports suspected child abuse or neglect. Employees who engage in retaliatory behavior will be subject to disciplinary action, up to and including termination of employment.

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A. Investigation Process

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1. Internal Investigation: Upon receiving a report of suspected child abuse or neglect, the Agency will cooperate fully with law enforcement and child protective services. Fresno EOC may also conduct its own internal investigation, as appropriate, to ensure the safety of the child and compliance with Agency policies.

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2. Cooperation with Authorities: The Agency will cooperate with any external investigations conducted by child protective services or law enforcement. This includes providing access to relevant records and personnel as required by law.

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B. Legal Compliance

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1. Legal Obligations: All employees, contractors, and volunteers must comply with local, state, and federal laws regarding the mandatory reporting of child abuse and neglect. Failure to comply with these legal obligations may result in criminal and civil penalties, as well as disciplinary action by the Agency.

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2. Training: Fresno EOC will provide training to all employees, contractors, and volunteers on recognizing the signs of child abuse and neglect, and on their mandatory reporting obligations. This training will be provided during orientation and periodically thereafter.

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C. Disciplinary Action

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1. Failure to Report: Employees who fail to report suspected child abuse or neglect, as required by this policy and applicable law, may face disciplinary action, including termination of employment.

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2. False Reporting: Knowingly making a false report of child abuse or neglect is prohibited and may result in disciplinary action, including termination of employment, as well as legal consequences.

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D. Support and Resources

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1. Employee Assistance Program (EAP): Fresno EOC will offer support through its Employee Assistance Program (EAP) for employees who are dealing with the emotional impact of reporting child abuse or neglect.

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—Resources for Reporting: The Agency will provide all employees with information on how to contact local child protective services and law enforcement authorities for reporting suspected child abuse.

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~~A mandated reporter is any employee that works with children as defined in Penal Code §11165.7. Any mandated reporter who fails to report an incident of known or reasonably suspected child abuse or neglect as required by law is guilty and punishable by law. All Head Start and Early Head Start employees are "mandated reporters."~~

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~~A mandated reporter shall make a report to the appropriate authorities whenever, within the employee's professional capacity or within the scope of employment, the employee has knowledge of, observes, or reasonably suspects a child has been the victim of child abuse or neglect. A mandated reporter must make a report if there is a substantial risk that abuse or neglect may occur, either in the care of a Fresno EOC Head Start/Early Head Start center or outside of the program. The mandated reporter shall make a report to the authorities immediately or as soon as is practicably possible by telephone and shall prepare and send a written report thereof within 36 hours of receiving the information concerning the incident. The mandated reporter may include with the report any non-privileged documentary evidence relating to the incident. Agency programs and individuals must not attempt to investigate; to do so can jeopardize the accuracy of the official investigation conducted by child protective services. Any employee who is the subject of a reported case of abuse or neglect must be removed from contact with children during the state investigation and until the charge is fully resolved.~~

POLICY 5060 EMPLOYMENT OF RELATIVES (NEPOTISM) AND PERSONAL RELATIONSHIPS

PURPOSE: ~~The purpose of this policy is to ensure fair and equitable treatment of all employees, prevent conflicts of interest, and maintain a professional work environment by regulating the employment of relatives and managing personal relationships within the workplace. This policy is applicable to employees, interns and volunteers. To avoid favoritism or the perception of favoritism by related employees and Commissioners or employees involved in a personal relationship with other employees.~~

POLICY: ~~Fresno EOC is committed to fostering a work environment where decisions related to hiring, promotion, and other employment matters are based on merit and qualifications. To avoid any real or perceived conflicts of interest, the agency restricts the employment of relatives and the involvement of personal relationships within the workplace that could affect impartiality, objectivity, or the work environment. It is the policy of Fresno EOC to avoid the employment, assignment, transfer, promotion or compensation of relatives of employees or employees involved in a personal relationship into situations where the possibility of favoritism or the perception of conflicts of interest might exist.~~

REFERENCE: California Government Code § 12940(a) (3) (A).

PROCEDURES:

I. ASSIGNMENTS

Fresno EOC endeavors to avoid situations in which actual or an appearance of a conflict of interest may exist in the employment of relatives or employees involved in a personal relationship. To implement this objective, Fresno EOC will attempt to avoid assignments that involve actual or potential conflicts of interest, as well as working relationships involving relatives or individuals with close personal relationships that may potentially lead to complaints of favoritism, lack of objectivity, or employee morale and dissension problems that can result from such relationships.

In keeping with this policy, relatives of employees and the Board of Commissioners and individuals with whom employees reside will not be eligible for employment with Fresno EOC in any situation where potential problems of supervision, safety, security or morale exist or where personal relationships may create an actual or potential conflict of interest, cause disruption, or create a negative or unprofessional work environment. For example, Fresno EOC may refuse to place one relative under the direct supervision of the other relative for the reasons given above. For the same reasons, Fresno EOC may refuse to place relatives or employees involved in a personal relationship in the same program, component, department, division, or facility if the work involves potential conflicts of interest or hazards that are greater for relatives than for other individuals.

II. _____ II. DEFINITIONS OF RELATIVE

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Relative: For the purposes of this policy, a relative includes, but is not limited to, spouses, domestic partners, parents, children, siblings, grandparents, grandchildren, aunts, uncles, cousins, nieces, nephews, and in-laws.

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Personal Relationship: A relationship involving close personal connections, including but not limited to romantic or intimate relationships, friendships that extend beyond the workplace, or any relationship that may lead to favoritism or bias.

Employment of Relatives (Nepotism)

- **Hiring of Relatives:** Relatives of current employees may be considered for employment with the Agency based on their qualifications. However, relatives are not permitted to work in positions where one relative would have direct or indirect supervision or influence over the other's employment conditions, including decisions related to hiring, promotions, salary, performance reviews, and disciplinary actions.
- **Transfers and Promotions:** Employees may not be transferred or promoted into a position that would result in them having direct or indirect supervision or being supervised, directly or indirectly, by a relative. If a situation arises where a supervisory relationship between relatives is created due to restructuring, promotion, or other changes, the Agency will work with the employees to find an appropriate solution, which may include reassignment or transfer.
- **Disclosure:** Employees must disclose the existence of any familial relationship with another employee at the time of hire or when such a relationship is established during employment. This disclosure should be made to the Human Resources Office or the employee's direct supervisor.

Personal Relationships in the Workplace

- **Disclosure of Personal Relationships:** Employees who enter into a personal relationship that could affect their work or create a conflict of interest must disclose the relationship to the Human Resources Office. This includes romantic or intimate relationships between employees, especially where a power imbalance exists (e.g., between a supervisor and a subordinate).
- **Handling of Personal Relationships:** The Agency may take steps to manage the impact of personal relationships in the workplace. This could include reassigning duties, changing reporting lines, or transferring one of the individuals involved to a different department or location to avoid conflicts of interest or perceptions of favoritism.
- **Professional Conduct:** Employees involved in a personal relationship are expected to maintain professionalism and not allow their relationship to interfere with their work or the work environment. Any inappropriate behavior related to the personal relationship, including public displays of affection, favoritism, or conflicts arising from the relationship, may result in disciplinary action.

Conflicts of Interest

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- **Avoidance of Bias:** Employees must avoid situations where their personal relationships could lead to actual or perceived favoritism, bias, or conflict of interest. Employees must not participate in any employment-related decision-making that could affect the relative or individual with whom they have a personal relationship.
- **Duty to Report:** If an employee becomes aware of a potential conflict of interest involving a personal relationship or the employment of a relative, they must complete a Conflict of Interest form report it to the Human Resources Office immediately where a mitigation plan can be developed, if deemed necessary.

Consequences of Policy Violation

- **Disciplinary Action:** Violations of this policy, including failure to disclose a relevant relationship or allowing a relationship to affect workplace decisions or behavior, may result in disciplinary action, up to and including termination of employment.
- **Remedial Measures:** In cases where a violation of this policy has occurred, the Agency may take remedial measures to eliminate conflict of interest. This could include reassignment, transfer, or other actions to ensure compliance with the policy.

Confidentiality and Non-Retaliation

- **Confidentiality:** All disclosures of relationships and any related actions taken by the Human Resources Office will be handled with sensitivity and confidentiality, to the extent possible while ensuring compliance with this policy.
- **Non-Retaliation:** Employees who report concerns or disclose personal relationships in good faith are protected from retaliation. Retaliatory actions against employees who comply with this policy will not be tolerated and may result in disciplinary action.

Exceptions

- **Management Discretion:** In certain circumstances, exceptions to this policy may be granted at the discretion of senior management, provided that such exceptions do not compromise the principles of fairness, objectivity, or the integrity of the work environment. Any exceptions must be documented and approved in writing.

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For purposes of this policy, relatives include an employee's parent, grandparent, child (natural, foster, or adopted), spouse, domestic partner, brother or sister, stepparent, stepchild, stepbrother or stepsister. Relatives also include any parent, child, brother or sister of an employee's spouse. As noted above, the policy is not limited to relatives and applies to other covered situations involving actual and potential conflicts of interest.

If two employees become subject to the restrictions of this policy after they are hired, one or both of the employees must seek a transfer or reassignment that eliminates the actual or potential conflict of interest as specified in this policy. (For example, if two employees marry,

~~become romantically involved, become related, or cohabitate as domestic partners, and the potential problems noted above exist, only one of the employees will be permitted to stay within the same program, component, department, division, or facility.) The decision as to which of the individuals will remain must be made by the two employees within thirty (30) calendar days from the beginning of the relationship or potential conflict. If no decision has been made by the employees involved during this time, management reserves the right to make an assignment.~~

~~**III. — DEFINITION OF PERSONAL RELATIONSHIP**~~

~~For purposes of this policy, personal relationship is defined as a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature.~~

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POLICY 5070 CODE OF ETHICS AND BUSINESS CONDUCT

PURPOSE: Fresno EOC expects employees to adhere to the highest possible standards of ethics and business conduct and to comply with all laws and regulations in relation to the Agency.

POLICY: It is the policy of Fresno EOC to preserve and foster the public's trust and confidence. Employees are expected to be knowledgeable about their job, conduct all aspects of their employment in an ethical and legal manner and in accordance with laws and regulations, and to comply with Fresno EOC policies and procedures.

REFERENCE: Whistleblower Protection Act, California Labor Code 1102.5 (a-c)

PROCEDURES:

I. CONFLICTS OF INTEREST

It is the policy of Fresno EOC to prohibit employees from engaging in any activity, practice or conduct which conflicts with, or appears to conflict with, the interests of Fresno EOC. A conflict of interest exists when the employee's conduct and/ actions are divided between Fresno EOC's interest and those of another, such as clients, funding sources, suppliers, personal businesses, or for another employer.

A. Reporting Conflicts of Interest: Employees are expected to use good judgment, to adhere to high ethical standards, and to avoid situations that create an actual or potential conflict between the employee's personal interests and the interests of Fresno EOC. Both the fact and the appearance of a conflict of interest will be avoided. Employees unsure as to whether a certain transaction, activity, or relationship constitutes a conflict of interest should refer questions and concerns to their supervisor or the ~~Human Resources Department~~Human Resources Office for clarification.

B. Conflicts of Interest: Conflicts of interest prohibited in this policy are not intended to be exhaustive and only include some of the more common examples. Failure to adhere to this policy, including failure to disclose any conflicts, will result in discipline up to and including termination.

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Some of the more common conflicts from which employees should refrain include the following:

- engaging in, directly or indirectly either on or off the job, any conduct that is disloyal, disruptive, competitive, or damaging to Fresno EOC;
- accepting personal gifts, meals or entertainment from clients, funding sources, suppliers, or potential suppliers, except those of nominal value;
- engaging in outside activity or accepting work in any outside position that interferes with the ability to devote full and best efforts to Fresno EOC's interests;

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- using proprietary or confidential Fresno EOC information for personal gain or to the detriment of Fresno EOC;
- using Fresno EOC assets or labor for personal use;
- developing a relationship with a client or an employee that interferes with the exercise of impartial judgment in decisions affecting Fresno EOC or any employees of Fresno EOC; and
- taking positions on behalf of Fresno EOC of a political nature and/or endorsement of a candidate or issue.

II. CONFIDENTIALITY

Confidentiality is an essential part of our Agency. Fresno EOC's clients provide us private/personal information about themselves and rightfully trust us to keep this information in confidence. Technology has enabled us to keep more information about our clients on computer systems. Agency employees shall not disclose confidential information without proper authorization from their supervisor, manager and/or ~~Human Resources Department~~Human Resources Office. Misuse of information is against the Agency's ethical standards and business practices.

An employee's role in privacy protection is critical. Employees will have access to confidential information about the Agency, its clients, and co-workers. Such information is intended solely for use within the Agency and is limited to those with a business need-to-know. Confidential information acquired by an employee through employment must be held in confidence and, except for a business reason, must never be discussed outside the scope of the employee's position. Information is to be used solely for agency purposes.

Employees must not disclose confidential information obtained in the course of employment to any other employee unless the other employee has a business need-to-know the information for the performance of duties on behalf of the Agency. Except for authorized management personnel, confidential information may not be disclosed to any person outside the Agency except when its disclosure is required by law or has been specifically authorized in writing by the client or employee.

Improper release of confidential information damages trusts in the Agency and can result in loss of business and even legal action. An employee who violates this policy is subject to disciplinary action, up to and including termination.

The Agency will not tolerate retaliation against any employee for cooperating in an investigation regarding the possible violation of this policy.

III. WHISTLEBLOWING

It is the policy of Fresno EOC and public policy of the State of California to encourage employees to notify Fresno EOC or an appropriate government or law enforcement agency when they have reason to believe an employer is violating a state or federal statute, rule, or regulation, or violation of fiduciary responsibility, or violating or not complying with a state or federal rule or regulation. Fresno EOC will not retaliate against any employee for filing a

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complaint or participating in an investigation related to the complaint. Fresno EOC will not tolerate or permit retaliation. Any possible violations of state or federal statutes, rules, or regulations, or violations of fiduciary responsibility should be directed to the ~~Human Resources Director/Officer~~ Human Resources Office or the California State Attorney General's Whistleblower Hotline at 1-800-952-5225.

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POLICY 5080 SOLICITATION, DISTRIBUTION, AND POSTING

PURPOSE: To establish a policy prohibiting solicitation.

POLICY: Fresno EOC prohibits employees from soliciting or distributing literature to other employees, clients, or visitors on Agency premises except for approved work-related activities. It is the policy of Fresno EOC that employees are not to solicit or distribute literature to other employees, clients, and visitors on Agency premises other than for approved work-related business.

PROCEDURE:

Fresno EOC does not allow solicitation, distribution, or posting of materials by employees or non-employees on Agency property, unless explicitly permitted by this policy. Exceptions are limited to charitable or community activities supported by management, or Agency-sponsored programs directly related to Agency services. Fresno EOC prohibits the solicitation, distribution and posting of materials on or at Agency property by any employee or non-employee, except as may be permitted by this policy. The sole exceptions to this policy are charitable and community activities supported by management and Agency sponsored programs related to Agency services.

Non-employees are not permitted to solicit or distribute materials to employees on Agency premises during work hours at any time. They may only enter work areas with management approval or if participating in an Agency-sponsored program. Such visits must not disrupt the workflow, and they must always be accompanied by the employee who invited them. Non-employees may not solicit employees or distribute literature of any kind on Agency premises at any time. Employees may only admit non-employees to work areas with management approval or as part of an Agency-sponsored program. These visits should not disrupt workflow. The employee must accompany the non-employee at all times.

Employees are not allowed to solicit other employees during working hours unless it is part of an Agency-approved or sponsored event.

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Employees are prohibited from distributing any literature during work time or in work areas, except in connection with an Agency-sponsored event.

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"Work time" refers to the time when an employee is performing job duties and does not include meal periods or rest breaks.

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Employees may not solicit other employees during work times, except in connection with an Agency approved or sponsored event.

~~Employees may not distribute literature of any kind during work times, or in any work area at any time, except in connection with an Agency-sponsored event. "Work time" excludes off duty meal periods and rest breaks.~~

~~Posting of materials or electronic announcements, including Agency newsletters, Intranet announcements, and other Agency-wide communications, is not permitted unless it is related to an Agency-sponsored event or has been approved by the Agency. The posting of materials or electronic announcements is not permitted, except in connection with an Agency-sponsored event or approved Intranet announcement.~~

~~Violations of this policy should be reported to the Human Resources Office. Employees who fail to comply with this policy may face disciplinary action, up to and including termination. Violation of this policy should be reported to the Human Resources Department/Human Resources Office. An employee who violates this policy is subject to discipline up to and including termination.~~

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POLICY 5090 PRIVACY AND THE USE OF FRESNO EOC RESOURCES

PURPOSE: To establish a policy for privacy and confidentiality in relation to the appropriate use of Fresno EOC resources, particularly the use of computers, electronic devices, telephones, cellular phones, e-mail, the Internet, Wi-Fi, blogging, social media, instant messaging and voice mail.

POLICY: It is the policy of Fresno EOC to observe the requirements of all federal and state laws and regulations pertaining to privacy and confidentiality in the workplace.

REFERENCE: United States Constitution, Fourth Amendment. California Constitution, Article I, Section I. Title III of the Omnibus Crime Control and Safe Streets Act of 1968, The Electronics Communications Privacy Act of 1986, California Penal Code §§ 630, 631, 632, and 637, California Private Investigators Act, California Business and Professional Code § 7523 (b), IT Policy Procedures 3010

PROCEDURES:

I. DEFINITION

Agency-owned or administered information technology resources include but are not limited to: computer system hardware and software, network equipment, servers, software and services, email and instant messaging systems, telephone and voicemail equipment and services, video equipment, printers, scanners, and other imaging systems, fax machines, copiers, other electronic equipment, and all electronic files and storage media.

II. AUDIO AND VIDEO RECORDING

Audio recording or video recording of private conversations and private meetings is prohibited by state law unless all the parties involved grant permission or are notified that they are being recorded. Audio recording or video recording of public events is generally permissible.

III. OTHER TECHNOLOGY RESOURCES

Resources including, but not limited to accessing E-mail, social media, the Internet, Wi-Fi, voice mail, instant messages, blogging, and text messages, stored on, or transmitted by or through, any of the Agency's equipment including laptops and cell phones, or ITs network(s). These resources, regardless of whether used through a third party, are provided to employees by Fresno EOC solely for the purposes of conducting Fresno EOC business and its related activities. These are the property of the Agency whether or not the communication concerns the Agency's business, or intended to be private, either during or after the end of employment. Except for occasional and infrequent personal needs, such as briefly contacting a family member, employees will not use Fresno EOC resources for any purposes other than the performance of their job duties and responsibilities. Employees are prohibited from using personal service provider accounts to conduct any Agency's business and/or accessing employee accounts on personal or third-party service providers, using Agency resources. Employees are expected to exercise discretion and avoid the use of unnecessary, excessive,

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and inappropriate remarks in e-mail and voice mail messages, and refrain from accessing and using the Internet for non-work-related purposes. Employees should have no expectation of privacy and, in fact, do not have privacy rights in the use of these resources.

Fresno EOC reserves the right to inspect such resources to make certain they are being used properly. Fresno EOC may, at its sole discretion, retrieve and examine the contents of e-mail, voice mail, text messages and instant messages, and any other information that is stored on an employee's computer (including desktop, laptops, and tablets) and telephone, as well as the contents of files stored on computer hard drives, cloud storage, portable and removable storage and any media used by employees.

Desks, file cabinets, and similar Fresno EOC resources used by employees in the performance of their duties and responsibilities are subject to search by management personnel or their designees when, in Fresno EOC's sole judgment, it is necessary and reasonable to do so for work-related purposes or for the investigation of suspected employee misconduct.

Employees are advised that e-mail and other stored data deleted by an employee may still be retrieved from the computer network and are subject to subpoena in any legal action in which they are relevant and subject to discovery.

Disclosure: Fresno EOC employees should have no expectations of and have no right to privacy in the use of e-mail, voice mail, cloud storage, and other Fresno EOC resources and will have no right to file a grievance or take any form of legal action against Fresno EOC related to the retrieval, disclosure, and reading of their stored messages and files by Fresno EOC management personnel or other designated agents of Fresno EOC.

IV. INFORMATION TECHNOLOGIES AND OTHER DESIGNEES OF THE AGENCY

IT and other designated employees who ~~are able to can~~ access messages and information from the computer network or telephone system, or directly from other employees' computers and voice mail, are prohibited from accessing and reading any such messages and information unless it is necessary to do so in the conduct of their duties and responsibilities or unless specifically directed to do so by Fresno EOC management.

Employees are prohibited from using Agency owned and grant funded electronic communication systems and/or equipment to engage in behavior that would violate Fresno EOC policies, including but not limited to sending messages that violate Fresno EOC's EEO and anti-harassment policies, including but not limited to those containing racist material of any kind, sexual innuendoes, or inappropriate content.

The following are examples of prohibited activities:

- Viewing, storing, downloading, or forwarding pornographic images or other perceived obscene, racist, or harassing materials.
- Sending electronic mail that is non-business-related, obscene, racist, harassing, contains jokes, violent or otherwise offensive.
- Hacking, including attempting to gain access to restricted information.

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- Knowingly or intentionally accessing Agency information technology resources without authorization or exceeding authorized access, including through the unauthorized use of another user's login ID, account, or password.
- Downloading or forwarding electronic games, music, video, or other non-business-related materials.
- Participating in non-work-related chat rooms or streaming music online.
- Solicitation or distribution of non-work-related information, such as requests for signatures, charitable contributions, support of political or organizational activities, or requests for donations.
- Bidding/purchasing of non-work merchandise or services.
- Downloading or forwarding chain letters.
- Gambling or any other illegal activity.
- Using Agency property, including computers, for personal use.
- Any other activities that violate Fresno EOC policies.

Engaging in any of these or any other non-business activities will result in ~~corrective action~~disciplinary action up to and including termination.

Employees will maintain the confidentiality of any messages and information retrieved and read while performing their duties and responsibilities and will be disclosed to those who need to know.

Employees are provided an opportunity to establish passwords so that access to business messages can be limited to the intended recipients: password protection capability is not intended to be used by employees to protect the privacy of personal messages and files.

Except as noted above, employees who have been granted appropriate proxy rights will not access messages and files for which they are not the intended recipients.

The Agency will not tolerate retaliation against any employee for cooperating in an investigation or for making a complaint.

POLICY 5100 SOCIAL NETWORKING

PURPOSE: To establish a policy for the appropriate use of Fresno EOC resources, particularly the use of social networking. Because online postings are a common means of communication and self-expression, they can conflict with the interests of Fresno EOC and its clients; the Agency has adopted the following policy. Breach of this policy may result in counseling and discipline, up to and including termination.

POLICY: It is the policy of Fresno EOC to endeavor to observe the requirements of all federal and state laws and regulations pertaining to social networking in the workplace. Fresno EOC takes no position on employees' decision to start or maintain a blog or participate in other social networking activities on their personal time. However, it is the right and duty of the Agency to protect itself from unauthorized disclosure of information. Fresno EOC's Social Networking Policy includes guidelines for agency-authorized social networking and personal social networking and applies to all executive officers, board members, management, and staff.

Nothing in this policy is intended to or will be applied in a manner that limits employees' rights to engage in protected concerted activity as prescribed by the National Labor Relations Act.

REFERENCE: Fair Employment and Housing Council § 11031, National Labor Relations Act

PROCEDURES:

I. DEFINITION

This policy applies to all forms of social media or technology including, but not limited to: video or wiki postings, sites such as Facebook and Twitter, chat rooms, personal blogs or other similar forms of online journals, diaries or personal newsletters not affiliated with Fresno EOC.

II. GUIDELINES

The following guidelines apply to social networking when authorized by Fresno EOC and done on agency time. The guidelines apply to all employer-related social networking entries, including Fresno EOC subsidiaries or affiliates.

Only authorized employees, who have received adequate training, and have been approved by the Communications Department, can prepare and modify content located on Fresno EOC's website or social media channels.

All employees who are authorized to post/interact on behalf of the Agency must be logged into their program page to post comments or responses on the Agency's social networking sites. Employees should not be interacting through their personal page as an agency representative.

Fresno EOC reserves the right to remove, without advance notice or permission, all content considered inaccurate or offensive.

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III. CONFIDENTIALITY AND PRIVACY

Employees must not disclose the Agency's confidential or proprietary information including trade secrets, client lists or identifying information, internal reports, policies, procedures, or other internal business related, confidential information in online postings or publications (see Policy 5070, Code of Ethics and Business Conduct). Sharing these types of information, even unintentionally, could result in harm to the Agency and legal action against employees and/or the Agency.

IV. EMPLOYEE'S ONLINE IDENTITY

A. An employee is personally liable for all communications and information they publish online. The Agency may be liable for online activity that uses agency assets, an agency e-mail address or any e-mail address that can be traced back to the Agency's domain, which generally is any internet address affiliated with the Agency. Using an employee's name and an Agency e-mail address may imply that an employee is acting on the Agency's behalf. Due to social media and networking being public activities, Agency e-mail addresses and Agency assets/account should be used only to perform job-related activities, which may include professional networking, but does not include personal social networking.

B. Outside the workplace, employees have a right to participate in social media networks using their personal accounts. Employees may repost or forward Agency sponsored events and information on Fresno EOC social media and websites. Information and communications that are published on personal online sites/accounts should never be attributed to the Agency or appear to be endorsed by, or to have originated from, the Agency.

C. If an employee chooses to disclose their affiliation with the Agency in an online communication, then they must treat all communications associated with the disclosure as professional communications governed by this and other Agency Policies.

V. LIMITATIONS ON ONLINE PUBLICATIONS

A. Employees should never identify a client or co-worker in an online posting without their prior written permission.

B. Employees may not post any information or engage in any online activity that violates applicable local, state or federal laws, or professional rules of conduct (see Policy 5070, Code of Ethics and Business Conduct).

C. Employees must identify all copyrighted or borrowed material with citations and links. When publishing direct or paraphrased quotes, thoughts, ideas, photos or videos, credit must be given to the original publisher or author.

D. Comments employees post about current and former co-workers can have legal consequences, even if the comments are made personally and not on the Agency's behalf.

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E. While using Agency equipment, employees must refrain from publishing comments about controversial or potentially inflammatory subjects with a malicious motive, including, but not limited to: politics, sex, religion or any other non-business-related subject in any posts or other online communications involving the Agency.

While using Agency equipment, employees must avoid hostile or harassing communications in any posts or other online communications involving the Agency. Harassment is any offensive conduct based upon a person's race, color, ethnicity, national origin, ancestry, sex, pregnancy, religion, creed, religious dress and grooming practices, age, physical or mental disability, medical condition, marital status, sexual preference, sexual orientation, gender identity, gender expression, sex stereotype, transgender, transitioning or perceived to be, genetic information, immigration status, veteran's status, primary language or because of a person's relationship or association with members of a protected group or associations with organizations established for the preservation of rights protected under the law, or for any other reason prohibited by law or regulation and not work related (see Policy 1030, Discrimination/Harassment/Retaliation Complaint and Prevention Policy).

VI. AUTHORIZED SOCIAL NETWORKING

The goal of authorized social networking is to become a part of the industry conversation and promote web-based sharing of ideas and exchange of information. Authorized social networking is used to convey information about the agency's services, promote and raise awareness of the agency, communicate with employees and clients or respond to breaking news or negative publicity, and discuss specific activities and events.

When social networking or using other forms of web-based forums, the Agency must ensure that use of these communications is consistent with our brand identity, integrity and reputation while minimizing actual or potential legal risks, whether used inside or outside the workplace.

The Communications Department must create and continue to have access to any Agency or Agency's program website, blog, video-sharing site, bulletin board or other social media. No employee may incorporate the Agency's logo or other intellectual property in a website, blog, chat room, video-sharing site bulletin board or other social media without the Agency's written permission.

An employee that is authorized and maintains an Agency or program account(s) including, but not limited to: website, blog, chat room, video-sharing site, bulletin board or other social media account that promotes the Agency, is responsible for reviewing responses to online posts and resolving any concerns about the propriety of the responses before they are posted.

VII. USE OF AGENCY INFORMATION

Unless specifically instructed, employees are not authorized and are therefore restricted from communicating on behalf of the agency. Employees may not publicly discuss clients, products, employees or any confidential work-related matters, outside agency-authorized communications. Employees are expected to protect the privacy of the Agency and its

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employees and clients and are prohibited from disclosing personal employee and non-employee information and any other proprietary and nonpublic information to which employees have access. Such information includes but is not limited to client information, financial information, and strategic business plans.

Employees are cautioned that they should have no expectation of privacy while using the Internet or Wi-Fi. Employee postings can be reviewed by anyone, including Fresno EOC. Fresno EOC reserves the right to monitor comments or discussions about the agency, its employees, clients, and the industry, posted on the Internet by anyone, including employees and non-employees.

Employees are cautioned that they should have no expectation of privacy while using agency equipment or facilities for any purpose, including authorized internet use.

Fresno EOC reserves the right to use content management tools to monitor, review or block content that violates agency policy and procedures, and guidelines.

VIII. REPORTING VIOLATIONS

Fresno EOC requests and strongly urges employees to report any violations or possible or perceived violations to supervisors, managers, or the ~~Human Resources Department~~[Human Resources Office](#). Violations include unauthorized discussions of the Agency and its employees and clients, any discussion of proprietary information and any unlawful activity related to social networking.

The Agency will not tolerate retaliation against any employee for cooperating in an investigation or for making a complaint.

IX. ~~CORRECTIVE ACTION~~DISCIPLINARY ACTION FOR VIOLATIONS

All reports of violations of this policy and other related policies will be investigated. Any violation may result in discipline up to and including termination.

X. POSTING COMMENTS

Employees are expected to follow the guidelines and policies set forth to provide a clear distinction between you as the individual and you as the employee.

Fresno EOC does not discriminate against employees who use private social networking accounts for personal interests, personal affiliations and/or other lawful purposes.

All employees and non-employees are personally responsible for their comments which are posted on Fresno EOC's websites and may be held personally liable for any comments that are considered defamatory, obscene, proprietary or libelous by any offended party, not just the agency.

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Employees cannot use Agency-owned equipment, including computers, Wi-Fi, agency-licensed software or other electronic equipment, facilities, or agency time to conduct personal blogging or social networking activities.

Employees cannot use the Internet or social networking sites to harass, threaten, or discriminate against employees or anyone associated with or doing business with Fresno EOC.

Employees may be viewed by readers as a spokesperson for Fresno EOC. Because of this possibility, employees must state their views expressed are their own and not those of the Fresno EOC, nor of any person or organization affiliated or doing business with Fresno EOC.

Employees cannot post on personal social networks or other sites the name, logo or any business with a connection to Fresno EOC. Employees cannot post agency-privileged information, including client information or agency-issued documents, photographs of other employees, clients, vendors, or suppliers, nor can employees post photographs of persons engaged in agency business or at agency events.

Other than links to position openings and announcements, employees cannot link from a personal social networking site to Fresno EOC's internal website.

If an employee is contacted by the media or press about their post that relates to the Agency, the employee is not to respond and must inform their supervisor(s) or the Communications Department immediately.

Nothing in this manual prohibits employees from discussing terms and conditions of employment and nothing in this policy is intended to infringe upon employee rights under Section 7 of the National Labor Relations Act ("NLRA").

POLICY 5110 REMOTE WORK AND ACCESS GUIDELINES

PURPOSE: To establish guidelines for remote work, or telecommuting, and access.

POLICY: In the event work functions are disrupted due to a pandemic or other large-scale business disruption, Fresno EOC may find it necessary for employees to work from home or at another designated location. Fresno EOC can provide a variety of services to connect with our employees, consultants, contractors, vendors, clients, funding sources, community advocates, remotely to continue uninterrupted work. Telecommuting may be appropriate for some employees and jobs but not for others. Telecommuting is not an entitlement, it is not an agency-wide benefit, and it in no way changes the terms and conditions of employment with Fresno EOC.

PROCEDURES

Telecommuting can be informal, such as working from home for a short-term project, on the road during business travel or a formal, set schedule of working away from the office as described below. Either an employee or a supervisor can suggest telecommuting as a possible work arrangement. Every effort will be made to provide reasonable advanced notice to accommodate commuting, childcare and other issues that may arise from the implementation and/or conclusion of a telecommuting arrangement. There may be instances, however, when no notice is possible.

I. ELIGIBILITY

The employee and supervisor or program manager, with the assistance of the ~~Human Resources Department~~ Human Resources Office, will evaluate the suitability of such an arrangement, reviewing the following areas:

- A. **Employee suitability:** The employee and supervisor or program manager will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful telecommuters.
- B. **Job responsibilities:** The employee and supervisor or program manager will discuss the job responsibilities and determine if the job is appropriate for a telecommuting arrangement.
- C. **Equipment needs, workspace design considerations and scheduling issues:** The employee and supervisor or program manager will review the physical workspace needs and the appropriate location for remote work.
- D. **Tax and other legal implications:** The employee must determine any tax or legal implications under IRS, state and local government laws, and/or restrictions of working out of a home-based office. Responsibility for fulfilling all obligations in this area rests solely with the employee.

Fresno EOC reserves the right to request a telecommuting agreement that is signed by all parties. Once approved, an appropriate level of communication between the telecommuter and supervisor will be agreed to as part of the discussion process. The supervisor and telecommuter will communicate at a level consistent with employees working at the office or in a manner and frequency that is appropriate for the job and the individuals involved.

II. USE OF AGENCY AND PERSONAL PROPERTY

Fresno EOC will determine, with information supplied by the employee and the supervisor, the appropriate equipment needs (including hardware, software, wireless hot spots, phone and data lines and other office equipment) for each telecommuting arrangement. The Human Resources and Information Technology Offices will serve as resources in this matter.

Equipment supplied by the employee, if deemed appropriate by the agency, will be maintained by the employee subject to appropriate reimbursement policies and procedures. Fresno EOC accepts no responsibility for damage or repairs to employee-owned equipment. Fresno EOC reserves the right to make determinations as to appropriate equipment, subject to change at any time.

Equipment supplied by the agency will be maintained by the agency and is to be used for business purposes only. The telecommuter must sign an inventory of all agency property received and agree to take appropriate action to protect the items from damage or theft. Upon separation of employment, all ~~agency/company~~ property will be returned to the agency.

Fresno EOC will supply the employee with appropriate office supplies (pens, paper, etc.) as deemed necessary. Fresno EOC will also reimburse the employee shipping costs that are reasonably incurred in carrying out the employee's job.

Fresno EOC will provide a reasonable technology stipend for business-related expenses, such as home internet usage and phone calls. Stipend rates will be determined by a number of factors including job duties and responsibilities. Rates will be paid at following the reimbursement categories: ~~Non-Exempt, Exempt and Executive, minimum, low, medium and high.~~

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The employee will establish an appropriate work environment within their home for work purposes. The employee should test the following equipment, at home to ensure the item can be used as intended:

- A. Laptop, Tablet, or Desktop Computer: This device should allow the employee to perform and generate work equivalent to the quality and quantity of work that was being generated in the office.
- B. Microphone or Headset: This device may be built into a laptop/desktop/tablet or may be a secondary device that can be connected. The employee should discuss the business need and receive approval from the supervisor prior to purchasing a microphone/headset if one is not available.

- C. Webcam: This device may be built into the laptop/desktop/tablet or may be a secondary device that can be connected. The purpose of the webcam is to provide video conferencing for business needs to help conduct a meeting or discussion that replicates the interactions that would have been obtained in an in-person/office environment. The employee should discuss the business need and receive approval from the supervisor prior to purchasing a webcam if one is not available.
- D. Internet: The employee may utilize their personally obtained internet or an agency provided wireless hotspot.

III. TECHNOLOGY SUPPORT

The employee should contact the Information Technology Office if they have any questions or issues. Information Technology staff can set up remote access support sessions. The employee can also bring in their equipment to get questions answered and trained how to work from home. If the employee does not have access to program equipment that meets these standards, please consult with the Program Director.

During a pandemic or other mandated telecommuting event, the IT Office may require an employee to set up an appointment to ensure meeting social distancing or other implemented protocols. Please contact the IT Office at 263-1300 or ITSupport@fresnoeoc.org prior to going to the IT Office for support.

~~The employee should contact the Information Technology Office if they have any questions or issues. Information Technology staff can set up remote access support sessions. The employee can also bring in their equipment to get questions answered and trained how to work from home. If the employee does not have access to program equipment that meets these standards, please consult with the Program Director.~~

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IV. TECHNOLOGY AND SOFTWARE RESOURCES

- A. Microsoft Office and Office365: Microsoft Office software and web-based Office365 are the productivity suites of choice for Fresno EOC. Office365 accounts are available for free to all Fresno EOC employees.
 - 1. Microsoft Teams: Microsoft Teams combines modern online meeting technology with real time chat, file storage, collaboration, and remote support. The full functionality of teams is available to Fresno EOC employees with an agency provided Office365 account. To get started, log in to Microsoft Teams from a web browser or download the Microsoft Teams app from the app store. Use of Microsoft Teams while logged in with an agency-provided account is intended for business use only.

2. Microsoft OneDrive and SharePoint: Fresno EOC utilizes OneDrive and SharePoint for Business cloud file storage. Fresno EOC employees working from home are encouraged to save files to the cloud for additional file access. OneDrive is a personal drive in which employees can store files. SharePoint is a shared drive in which employees can store and edit files shared with other staff given access to the drive.

B. ~~Internet Browsers: Fresno EOC recommends that employees use the Microsoft Edge or Google Chrome browser to ensure compatibility and security regarding access to Fresno EOC resources, including software and hardware.~~ Internet Browsers: Fresno EOC recommends that employees use the Google Chrome browser to ensure compatibility and security regarding access to Fresno EOC resources, including software and hardware.

V. ACCESS TO FRESNO EOC PHONE/VOICEMAIL (EXECUTIVE PLAZA ONLY)

When an employee is out of the office during working hours, there are several options for employees to access their calls and voicemail.

1. ~~The Mobility Extension feature will ring both the employee's desk phone and alternate number (cell/home phone) allowing the employee to receive calls on and off-site. Alternatively, the office phone can be forwarded so it will only ring to the alternate number provided.~~

2. ~~The voicemail to email feature, once configured, will forward voicemail messages received at an employee's desk phone to the employee's Office365/Outlook email as a sound file attachment. The employee can double-click on the sound file to listen to the voicemail message.~~

3. ~~Fresno EOC Executive Plaza employees can also check and manage voicemails by calling (559) 263-1399, press *2, and entering their extension/password to access voicemail off-site.~~

4. ~~Off-site programs must follow their phone system guidelines to forward calls or retrieve voicemail messages. Please contact Information Technology for phone system options.~~

1. ~~The Mobility Extension feature will ring both the employee's desk phone and alternate number (cell/home phone) allowing the employee to receive calls on and off site. Alternatively, the office phone can be forwarded so it will only ring to the alternate number provided.~~

2. ~~The voicemail to email feature, once configured, will forward voicemail messages received at an employee's desk phone to the employee's~~

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~~Office365/Outlook email as a sound file attachment. The employee can double-click on the sound file to listen to the voicemail message.~~

~~3. Fresno EOC Executive Plaza employees can also check and manage voicemails by calling (559) 263-1399, press *2, and entering their extension/password to access voicemail off site.~~

~~4. Off site programs must follow their phone system guidelines to forward calls or retrieve voicemail messages. Please contact Information Technology for phone system options.~~

VI. REMOTE ACCESS SERVICES

~~Fresno EOC will utilize Virtual Private Network (VPN), Remote Desktop Protocol services (RDP), and other approved platforms such as Microsoft Teams, Zoom and Adobe Sign, to provide online meetings, webinars, access to computers, remote document signing, and remote technical support. Employees needing to access resources that require connecting remotely should contact the IT Office and set an appointment. Program Manager/Director approval is needed.~~

~~Fresno EOC will utilize Virtual Private Network (VPN), Remote Desktop Protocol services (RDP), and other approved platforms such as Microsoft Teams, Zoom and Adobe Sign, to provide online meetings, webinars, access to computers, remote document signing, and remote technical support. Employees needing to access resources that require connecting remotely should contact the IT Office and set an appointment. Program Manager/Director approval is needed.~~

VII. SECURITY

Consistent with agency expectations of information security for employees working at the office, telecommuting employees will be expected to ensure the protection and confidentiality of proprietary agency and customer/client information accessible from their home office.

All work items, including documents, files, laptops, tablets, smartphones, and any other sensitive materials, should not be left unattended in public areas, common spaces, or unsecured locations within the workplace. Employees are responsible for safeguarding these items and should keep them within their direct control or secured in a designated storage area when not in use.

VIII. SAFETY

Employees are expected to maintain their home workspace in a safe manner, free from safety hazards. Injuries sustained by the employee in a home office location and in conjunction with his or her regular work duties are normally covered by Fresno EOC's workers' compensation policy. Telecommuting employees are responsible for notifying the employer of such injuries as soon as practicable. The employee is liable for any injuries sustained by visitors to his or her home worksite.

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Telecommuting is not designed to be a replacement for appropriate childcare. Although an individual employee's schedule may be modified to accommodate childcare needs, the focus of the arrangement must remain on job performance and meeting business demands.

IX. TIME WORKED

Telecommuting employees who are not exempt from the overtime requirements of the Fair Labor Standards Act or California Industrial Wage Orders will be required to accurately record all hours worked using Fresno EOC's time-keeping system. Hours worked in excess of those scheduled per day and per workweek require the advance approval of the telecommuter's supervisor. Failure to comply with this requirement may result in the immediate termination of the telecommuting agreement.

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POLICY 5120 – REMOTE WORK POLICY

PURPOSE: To define remote work expectations of employees and the Agency.

POLICY: It is the policy of Fresno EOC to provide remote work arrangements, when possible, that would be of mutual benefit to the Agency and the employee.

PROCEDURES:

I. DEFINITION

Remote work (also known as telecommuting) is a business arrangement that allows employees to work from a remote location by virtually linking to Fresno Economic Opportunities Commission whether from home, the road, a client's location, or elsewhere.

II. REQUESTING PERMISSION TO WORK REMOTELY

Employees who would like to explore the option of remote work should communicate with their supervisor and with Human Resources. Fresno Economic Opportunities Commission will consider requests for remote work on a case-by-case basis, taking into account factors including appropriateness of the role for telecommuting, tenure, seniority, employee performance, prior disciplinary action, flexibility, the reason(s) for remote work and the ability to work independently. Employees who are permitted to work remotely must sign a Remote Work Agreement and, if approved to work remotely, will be expected to communicate with the Fresno Economic Opportunities Commission at a level consistent with employees working at the office or in a manner and frequency that seems appropriate for the job and the individuals involved. Fresno EOC reserves the right to modify or retract any remote work arrangements at any time without written or prior notice. This may occur based on operational needs, changes in job requirements, performance concerns, or any other reason deemed appropriate by Fresno EOC management.

Employees must successfully complete their introductory period before requesting remote work.

III. EQUIPMENT AND SUPPLIES

On a case-by-case basis, and subject to change at any time, Fresno EOC will determine what equipment, if any, to provide to the employee to facilitate the remote working arrangement. The Agency accepts no responsibility for theft, loss, damage or repairs to employee-owned equipment. Any equipment that the Agency provides to an employee as part of a remote working arrangement shall remain the property of the Agency, and the Agency will maintain that equipment. This equipment must be used for business purposes only. Depending on the circumstances, the employee may be responsible for any theft, damage, or loss of property belonging to the Agency. Fresno EOC will supply the employee with appropriate office supplies (e.g., pens, paper, printer ink) for successful completion of job responsibilities. Fresno EOC will also reimburse the employee for certain business-related expenses (e.g., phone plan, shipping costs) that are reasonably incurred in accordance with

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job responsibilities. Unless otherwise agreed to in advance in writing, the Agency will not be responsible for any other costs the employee may incur while working remotely.

IV. REMOTE WORK SITE

An employee approved to work remotely should designate a workspace, at the off-site work area, for installation of any equipment to be used while working remotely. This workspace should be maintained in a safe condition, free from hazards to people and equipment. The employee will immediately report any injury sustained while working remotely immediately to the employee's supervisor. Prior to granting approval to remote work, Fresno EOC reserves the right to require that the employee provide a floor plan of their remote work sites and/or be subject to a visit by a representative of the Fresno EOC to determine the appropriateness and viability of the remote working space from a technical standpoint. Given a minimum of 24 hours advance notice, a representative of Fresno EOC, trained for the purpose of the visit, may make on-site visits to the remote worker's work site, including residence. The purpose of the visit would be to determine that the work site is safe and free from hazards and, where appropriate, to maintain, repair, inspect or retrieve equipment, software, data and supplies owned by the Fresno Economic Opportunities Commission.

V. ALL OTHER POLICIES APPLY

Fresno EOC's remote employees must continue to abide by all other policies and procedures including those in regard to computer use, social media and confidentiality. As a condition of remote work, all employees who receive permission to work remotely under this Policy must first sign a remote work agreement.

VI. REQUESTS FOR LEAVE

Unless a flexible schedule is agreed to, employees should not permit non-work-related events and activities to disrupt or interfere with scheduled work time. Requests to use sick leave, vacation or other leave must be approved in the same manner as the employee who does not work remotely. If a non-exempt employee is unable to work at an alternate work location due to illness or other reason, the employee must report the hours actually worked and use accrued time for those hours not worked.

VII. NONEXEMPT EMPLOYEES

Employees ~~that~~ who are non-exempt under the Fair Labor Standards Act or California Industrial Welfare Orders are not exempt from the overtime requirements and therefore must comply with all recordkeeping requirements. Non-exempt remote employees must accurately record and timely report all working time as a condition of continued participation in the remote work program. A supervisor must approve, in advance, any hours worked in excess of those specified per day and per week, in accordance with local, state and federal requirements. Fresno EOC reserves the right to revoke the remote working privileges of any employee failing to comply with this requirement.

VIII. TAX IMPLICATIONS

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Employees who work remotely from another state or work in several states are responsible for determining their taxes correctly. Employees are encouraged to consult a tax professional to determine the correct method for withholding income taxes.

IX. DURATION OF THE REMOTE WORKING ARRANGEMENT

All remote working arrangements are granted on a revocable basis. Consequently, in its sole discretion, Fresno EOC may discontinue any remote working arrangement at any time, although reasonable advance notice will be provided where practicable. Unless other arrangements have been made, upon termination of the remote working arrangement or employment, whichever is first, the employee must return all agencycompany property to the Fresno EOC in good working order, less any normal wear and tear.

This Policy is not intended to alter the employment at-will relationship in any way. Accordingly, unless an employee has a valid written and signed contract of employment stating otherwise, employment is at-will and can be terminated by the employee or by Fresno EOC at any time.

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POLICY 5130 – RETENTION POLICY

PURPOSE: To define strategic actions to keep employees motivated and focused so they elect to remain employed and fully productive for the benefit of the organization.

POLICY: It is the policy of Fresno EOC to show our employees that we care for them and that we are committed to providing a culture that attracts and retains employees.

PROCEDURES:

I. DEFINITION

Employee retention is the number of employees that stay with the agency/company in a given period of time. Typically, these employees only count as retained if they are happy, engaged, productive, and not looking for other work. Employee retention strategies help organizations prevent high turnover, usually through improving employee engagement and providing competitive benefits.

II. VALUING OUR EMPLOYEES

Fresno EOC understands how internal policies and practices reflect an organization's culture, which in turn can shape turnover. In general, a culture that supports retention employs the following practices:

- employees are treated with dignity and respect;
- there are open lines of communication among organizational levels;
- employees can participate in decisions affecting their jobs;
- policies and rules are applied fairly and consistently;
- there is a shared understanding of how to advance one's career;
- there is work-life balance; and
- employees are treated as organizational assets and not costs.

III. POLICIES TO PROMOTE A HEALTHY WORKPLACE

Creating psychologically healthy workplaces, coupled with the ability for employees to perform their jobs successfully and thereby receive ample rewards, results in a high-performance work culture. This, in turn, results in an organization that retains top performers and that replaces those employees who cannot meet its ever-increasing standards.

Fresno EOC is proud that the following policies support a high performance and retention culture:

- diversity, equity and inclusion;
- preventing workplace discrimination, harassment and retaliation;
- pay;
- open door;
- professional development
- sick leave;

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- physical and emotional wellness;
 - flexible work schedules;
 - remote work;
 - accountability; and
 - Employee feedback

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POLICY 5140 – EMPLOYEE REFERRAL INCENTIVE PROGRAM

PURPOSE: The purpose of the Employee Referral Incentive Program is to provide an incentive to current employees for referring new talent to Fresno EOC. This policy encourages employees to refer qualified applicants, whom the employee knows personally and/or professionally, will share in Fresno EOC's values and vision, and will demonstrate the competencies for an opportunity to become employed with Fresno EOC.

POLICY: It is the policy of Fresno EOC to provide an incentive to employees for referring applicant(s) that result in successful hires within the Agency.

PROCEDURES:

I. DEFINITION(S)

- A. Referring Employee – the current Fresno EOC employee that completes the referral form (Refer a Friend) providing the name of the applicant referred.
- B. Successful Referral/Hire – an applicant who applied for a position at the recommendation of a referring employee, makes it through the recruitment process and is hired to fill the vacancy. A successful hire/referral cannot be a current or previous employee of the agency.

II. ELIGIBILITY

- A. All full-time, part-time, and temporary employees and paid interns are eligible to receive a referral incentive with the exception of the following:
 - i. Hiring Managers (including direct reports and anyone with influence in the hiring process) for the position in question
 - ii. Human Resources staff with direct involvement or who have staff involved in the recruitment duties for a vacancy.
 - iii. Executive level staff are not eligible to participate in the Employee Referral Reward Program.
- B. Incentive Eligibility:
 - i. In the event more than one employee completes a referral, the first employee to complete the referral and is listed as the referral source on the successful hire's application will receive the referral incentive.
 - ii. The referral incentive reward will be provided to the referring employee following completion of 1,000 hours of employment by the successful hire. Both the referring employee and successful hire must be in the employment of Fresno EOC at the time the referral incentive is awarded.

III. REFERRAL PROCESS

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- A. Only open positions, which have gone through the approved Fresno EOC recruitment process, will be eligible for the Employee Referral Incentive Program (see Policy 1090, Recruitment and Selection).
- B. The referring employee must complete referral electronically by logging into the ADP entering the applicant's name in the "refer a friend" option in the career center.
- C. The applicant must complete the referral section of the employment application with the name of the current Fresno EOC employee to be eligible to participate in the Employee Referral Incentive Program.

IV. INCENTIVE PROCESS AND REDEMPTION

- A. Referral incentive rewards are paid out utilizing a gift redemption method. The referring employee will be notified via email or phone once the incentive has been activated and have 90 days to redeem the gift option of their choice (gifts have a cash equivalent up to \$300.00)

V. ~~HUMAN RESOURCES DEPARTMENT~~HUMAN RESOURCES OFFICE ROLE AND RESPONSIBILITY

The ~~Human Resources Department~~Human Resources Office will ensure that this policy is implemented as equally and fairly as possible, and that all employees eligible for the referral incentive are offered the incentive as outlined in this policy.

Any questions or policy clarifications arising from the application or administration of this program will be reviewed by the ~~Human Resources Department~~Human Resources Office.

POLICY 5150 – CHILD SUPPORT REFERRAL

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PURPOSE: To provide guidance on Fresno EOC’s responsibility to clients regarding Child Support Services in the state of California.

POLICY: It is the policy of Fresno EOC to comply with the Community Services Block Grant Act Child Support Services regulations regarding referrals to Child Support Services for custodial parents in single-parent families.

REFERENCE: 42 U.S. Code § 9919

PROCEDURES:

If a client is a single parent, who has custody of a child under the age of 18, the client may be eligible for help from CA Child Support Services.

I. ELIGIBILITY DETERMINATION PROCESS FOR STAFF

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If a client indicates that they have custody of their child/children on an intake form and the client does not live with the other parent: the staff providing eligibility/enrollment services must:

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1. Offer the client information such as a copy of the application for such services to be submitted to CA Child Support Services, an informational brochure and/or where someone could obtain additional information.

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2. Enter applicable tracking codes for the services rendered into Fresno EOC’s intake software.

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POLICY 6010 COMMITMENT TO SAFETY

PURPOSE: To establish Fresno EOC's commitment to safety and to providing a work environment as free as practical from all recognized safety and health hazards.

POLICY: It is the policy of Fresno EOC to be committed to providing and maintaining a healthy and safe working environment for all employees. Accordingly, Fresno EOC has instituted a Safety Program designed to protect the health and safety of all personnel. Employees are expected to comply with all safety and health requirements whether established by Fresno EOC or by federal, state, or local laws.

REFERENCE: California Labor Code §§ 6401, 6401.7; 8 Cal. Code Reg. § 3203; California Labor Code § 6404.5.

PROCEDURES:

I. RESPONSIBILITIES

A. All Employees: Every employee should understand the importance of safety in the workplace. By remaining safety conscious, employees can protect their own interests as well as those of their co-workers. Accordingly, Fresno EOC emphasizes "safety first" and expects all employees to take steps to promote safety in the workplace. All employees are encouraged to submit suggestions to their supervisor or the ~~Human Resources Department~~[Human Resources Office](#) concerning safety and health matters in the workplace.

Compliance with safety requirements is a condition of employment and will be evaluated, together with other aspects of an employee's performance, as a part of the performance evaluation process. Due to the importance of safety considerations to Fresno EOC, employees who violate safety standards, who cause hazardous or dangerous situations, or who allow such conditions to remain when they could be effectively remedied, may be subject to discipline up to and including termination.

Therefore, it is essential that all employees comply fully with standards and practices established by Fresno EOC that are designed to promote a safe and healthy working environment. Fresno EOC has established a program to train and retrain employees as appropriate to assist them to avoid dangerous and unhealthful conditions and to remedy problems of hazards before they cause accidents or injuries.

B. Supervision: Supervisors are expected to facilitate compliance with all Fresno EOC safety rules, regulations, and procedures. Supervisors' safety responsibilities include: (1) being familiar with all safety and health procedures relevant to their operation; (2) inspecting their work areas periodically; (3) training their employees in safety matters; (4) identifying unsafe conditions; and (5) reporting accidents and injuries to the Safety Specialist immediately; and (6) ensuring that any injured employee is referred to appropriate medical care.

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C. Safety Coordinator: The Safety Coordinator is in the ~~Human Resources Department~~ Human Resources Office and oversees Fresno EOC's safety policies and procedures. The Safety Coordinators responsibilities include but are not limited to (1) monitoring compliance with safety rules and regulations; (2) developing and implementing written safety plans or programs as needed; (3) investigating and ensuring that safety and health hazards are corrected; (4) conducting periodic safety and health inspections; (5) representing Fresno EOC during investigations conducted by Cal OSHA; (6) organizing safety training; (7) monitoring compliance with various requirements established by law or by the workers' compensation insurance carrier; (8) investigating accidents and hazardous incidents when necessary; (9) ensuring that all required notices are posted; and (10) evaluating the effectiveness of Fresno EOC's safety program.

II. REPORTING INJURIES AND UNSAFE CONDITIONS

Employees are required to immediately report all injuries to their supervisor. If an employee identifies an unsafe condition or an occupational safety and health risk, the matter should be immediately reported to the employee's supervisor. If the supervisor is not readily available, the condition may be reported to the Safety Specialist. Fresno EOC strongly encourages employees to report any situations of this nature.

Fresno EOC will not retaliate, nor will it tolerate retaliation, against any employee who reports any safety issue.

In compliance with Proposition 65, the Agency will inform employees of any known exposure to a chemical known to cause cancer or reproductive toxicity.

III. THE INJURY AND ILLNESS PREVENTION PROGRAM (IIPP)

An Injury and Illness Prevention Program (IIPP) has been developed to comply with state rules and requires safety meetings, training programs, posting safety notices and safety tips, and providing periodic written communications to employees regarding safety matters.

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IV. SMOKING

In keeping with the commitment to a philosophy of providing a work environment free of safety and health hazards, smoking is not permitted in the workplace. Accordingly, smoking including cigarettes, e-cigarettes, using dip or chew, or other nicotine-delivery devices such as vaporizers, is prohibited inside all Fresno EOC buildings, rented, leased, or owned; transportation vehicles; restrooms; elevators; outside entrances to offices, or any other work areas. Employees who wish to smoke must limit smoking to break and meal periods and only in authorized areas. Employees are expected to exercise common courtesy and to respect the needs and sensitivities of co-workers and the public regarding the smoking policy.

Employees who violate this policy will be subject to discipline up to and including termination.

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V. FIRST AID

For basic First Aid & Universal Precautions see the Medical Emergency First Aid Program on the Safety Section of the Fresno EOC Intranet or contact the Safety Coordinator.

VI. WORKER'S COMPENSATION

Worker's Compensation is a system whereby an employer must provide insurance to pay the lost wages and medical expenses of an employee who is injured on the job.

VII. EMERGENCY CONDITION

In the event of an "emergency condition," the Agency will not take or threaten adverse action against any employee for (1) refusing to report to, or leaving, a workplace or worksite within the affected area because the employee has a reasonable belief that the workplace or worksite is unsafe; (2) preventing any employee from accessing the employee's mobile device or other communication device from seeking emergency assistance, assessing the safety of the situation, or communicating with a person to verify their safety. When feasible, an employee must notify the employer of the "emergency condition" prior to leaving the workplace or refusing to report and, if not feasible beforehand, then the employee must notify the employer as soon as possible. For these purposes, an "emergency condition" means the existence of either of the following: (1) conditions of disaster or extreme peril to the safety of persons or property at the workplace or worksite caused by natural forces or a criminal act; and/or (2) an order to evacuate a workplace, a worksite, a worker's home, or the school of a worker's child due to natural disaster or a criminal act." "Emergency condition" explicitly excludes a health pandemic. "A reasonable belief that the workplace or worksite is unsafe" means that a reasonable person, under the circumstances known to the employee at the time, would conclude there is a real danger of death or serious injury if that person enters or remains on the premises.

POLICY 6020 WORKPLACE VIOLENCE PREVENTION

PURPOSE: To maintain a safe working environment where employees and non-employees are free from the threat of workplace violence.

POLICY: ~~It is the policy of Fresno EOC to maintain a safe, violence-free workplace. To this end, the organization strictly prohibits any form of violent, intimidating, or threatening behavior by employees, Board of Commissioners, consultants, clients, visitors, or any individuals participating in Fresno EOC-related activities or present on Fresno EOC premises. In alignment with this policy, Fresno EOC prioritizes the prevention of workplace violence and reserves the right to address behaviors that indicate a potential for violence, even in the absence of actual violent conduct. It is the policy of Fresno EOC to be committed to providing a safe, violence-free workplace and strictly prohibits employees, Board of Commissioners, consultants, clients, visitors, or anyone else on Fresno EOC premises engaging in a Fresno EOC-related activity from behaving in a violent, intimidating, or threatening manner. As part of this policy, Fresno EOC seeks to prevent workplace violence before it begins and reserves the right to deal with behavior that suggests a propensity towards violence even prior to any violent behavior occurring.~~

REFERENCE: Cal/OHSA Guidelines for Workplace Security; California Labor Code §§ 6310, 6311; Workplace Violence Safety Act of 1994.

PROCEDURES: Fresno EOC believes that prevention of workplace violence begins with recognition and awareness of potential early warning signs and has established procedures for responding to any situation that presents the possibility of violence. ~~The Agency's Workplace Violence Prevention Plan is available for review by employees and/or employee representatives in Human Resources Office and on the intranet. [Option 1: within the Agency's Injury Illness Prevention Program described above] [Option 2: [describe if standalone document]].~~

I. WORKPLACE VIOLENCE DEFINED

Workplace violence includes:

- Threats of any kind.
- Threatening, physically aggressive, or violent behavior, such as intimidation of or attempts to instill fear in others.
- Other behavior that suggests a propensity toward violence, which can include belligerent speech, excessive arguing or swearing, sabotage, or threats of sabotage of Fresno EOC property, or a demonstrated pattern of refusal to follow Fresno EOC policies and procedures.
- Defacing Fresno EOC property or causing physical damage to the facilities; or
- With the exception of public safety personnel, bringing weapons or firearms of any kind on Fresno EOC premises, in Fresno EOC parking lots, or while conducting Fresno EOC business.

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II. ~~II.~~ TRAINING

Employees are required to complete Workplace Violence Prevention training annually.

III. REPORTING

If any employee observes or becomes aware of any of the above-listed actions or behavior by an employee, commissioner, client, consultant, visitor, or anyone else, the employee's supervisor must be notified immediately. The supervisor will immediately notify the Director or designee, and Human Resources, who will take the necessary action steps to report a potential violence issue. The following contacts should be used to report critical situations.

- Imminent danger – dial 911
- Facilities – 559-263-1207
- Executive Plaza Site – building security as contracted by Fresno EOC or Fresno Police Department Dispatch 621-7000

AND

- Human Resources – 263-1070

Employees are encouraged to notify their supervisor and the ~~Human Resources Department~~ Human Resources Office if any restraining order is in effect, or if a potentially violent non-work-related situation exists that could result in violence in the workplace.

III. INVESTIGATION

All reports of workplace violence will be taken seriously and will be investigated promptly and thoroughly by the Director or appointee. In the appropriate circumstances, Fresno EOC will inform the reporting individual of the results of the investigation. To the extent possible, Fresno EOC will maintain the confidentiality of the reporting employee and of the investigation but may need to disclose results in appropriate circumstances, for example, in order to protect individual safety. Fresno EOC will not tolerate retaliation against any employee who reports workplace violence. A report will be made to law enforcement if a violent act is suspected to be a criminal act or a violation of a restraining order.

IV. DISCIPLINARY ACTION

If Fresno EOC determines that workplace violence has occurred, the employee will be subject to discipline up to and including termination. Fresno EOC may request that the employee participate in counseling as a condition of continued employment. Any employee who may have a problem that could lead to violent behavior is encouraged to use the Employee Assistance Program.

If the violent behavior is that of a non-employee, Fresno EOC will take appropriate action to ensure that such behavior is not repeated.

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POLICY 6030 INFECTIOUS DISEASE CONTROL

PURPOSE: To establish guidelines and protocols during an infectious disease outbreak.

POLICY: Fresno EOC will take proactive steps to protect employees and the workplace in the event of an infectious disease outbreak in accordance with local, state, and federal guidelines. It is the goal of Fresno EOC during any such period to strive to operate effectively and ensure that all essential services are continuously provided and that employees are safe within the workplace.

REFERENCE: Center for Disease Control and Prevention, California Department of Public Health, Fresno County Department of Public Health, Occupational Safety and Health Administration

PROCEDURES:

Fresno EOC is committed to providing authoritative information about the nature and spread of infectious diseases, including symptoms and signs to watch for, as well as required steps to be taken in the event of an illness or outbreak. Violations of this policy may lead to discipline up to and including termination.

I. PREVENTING THE SPREAD OF INFECTION IN THE WORKPLACE

Fresno EOC will ensure a clean workplace, including the regular cleaning of objects and areas that are frequently used, such as bathrooms, breakrooms, conference rooms, door handles and railings. A committee will be designated to monitor and coordinate events around an infectious disease outbreak, as well as to create work rules and guidelines that could be implemented to promote safety through infection control as outlined by local, state, and federal agencies.

Fresno EOC asks all employees to cooperate in taking steps to reduce the transmission of infectious disease in the workplace. The best strategy remains frequent hand washing with warm, soapy water; covering your mouth whenever you sneeze or cough; and discarding used tissues in wastebaskets. Fresno EOC will also install alcohol based hand sanitizers throughout the workplace and in common areas.

Unless Fresno EOC communicates otherwise, the normal attendance and leave policies will remain in place. Individuals who believe they may face challenges reporting to work during an infectious disease outbreak should take steps to develop any necessary contingency plans. For example, employees might want to arrange for alternative sources of childcare should schools close and/or speak with supervisors about the possibility to work from home temporarily or on an alternative work schedule. An employee may also be eligible for leave as described in Fresno EOC leave policies. (see Policy 4010, Family and Medical Leave and California Family Rights Act and Policy 403020 Leaves of Absences.)

All employees working with clients or the public as part of an essential job function shall ensure to take all necessary precautions as outlined by local, state, and federal agencies.

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Technology should be optimized to offer clients virtual, telephonic, or other electronic means to continue to seek and/or receive services.

II. — PERSONAL PROTECTIVE EQUIPMENT (PPE)

When required, Fresno EOC shall provide personal protective equipment (PPE) to all employees working onsite. Employees are required to use PPE in accordance with established protocols and guidelines of Fresno EOC and local, state, and federal agencies. All employees working with clients or the public as part of an essential job function shall take all necessary precautions.

III. — LIMITING TRAVEL

All nonessential business travel shall be immediately suspended until further notice. Employees who travel as an essential part of their job should consult with management on appropriate actions.

Employees should avoid crowded public transportation when possible. Alternative scheduling options should be discussed with the supervisor.

IV. — TELECOMMUTING

Requests to work remotely will be handled on a case-by-case basis. While not all positions will be eligible, all requests for temporary telecommuting should be submitted to your supervisor for consideration (see Policy 5110 Remote Work Access Guidelines)

V. — STAYING HOME WHEN ILL

Many times, with the best of intentions, employees report to work even though they feel ill. Fresno EOC provides paid sick time to compensate employees who are unable to work due to illness (see Policy 3030, Sick Time and Policy 3040, Paid Sick Leave).

During an infectious disease outbreak, it is critical that employees do not report to work while they are ill and/or experiencing symptoms such as fever, cough, sore throat, runny or stuffy nose, body aches, headache, chills and fatigue. While subject to change, the Centers for Disease Control and Prevention (CDC) recommends that people with an infectious illness such as the flu remain at home until at least 24 hours after they are free of fever (100 degrees F or 37.8 degrees C) or signs of a fever without the use of fever reducing medications. Employees who report to work ill will be sent home in accordance with current health guidelines as provided by the CDC, California Department of Public Health or other local health agencies.

VI. — REQUESTS FOR MEDICAL INFORMATION AND/OR DOCUMENTATION

It may become necessary to request information from an employee and/or their health care provider if an employee is out sick or shows symptoms of being ill. In general, the supervisor or agency may request medical information to confirm the employee's need to be absent, to

show whether and how an absence relates to the infection, and to know that it is appropriate for the employee to return to work with or without accommodation. If a national or state of emergency is declared, Fresno EOC reserves the right to request alternative documentation, including if an employee is unable to see a health care provider.

VII. CONFIDENTIALITY OF MEDICAL INFORMATION

It is the policy of Fresno EOC to treat any medical information as a confidential medical record. In furtherance of this policy, any disclosure of medical information is in limited circumstances with supervisors, managers, first aid and safety personnel, and government officials as required by law.

VIII. SOCIAL DISTANCING GUIDELINES FOR WORKPLACE INFECTIOUS DISEASE OUTBREAKS

In the event of an infectious disease outbreak, Fresno EOC may implement social distancing guidelines to minimize the spread of the disease among the staff.

A. During the workday, employees are requested to:

1. Avoid meeting people face to face. Employees are encouraged to use the telephone, online conferencing, e mail, or instant messaging to conduct business as much as possible, even when participants are in the same building.
2. If a face to face meeting is unavoidable, limit the size of the meeting, minimize the meeting time, choose a large meeting room, and sit at least six (6) feet from each other; avoid any person to person contact such as shaking hands.
3. Avoid any unnecessary travel and cancel or postpone nonessential meetings, gatherings, workshops, and training sessions.
4. Do not congregate in break rooms, copier rooms or other areas where people socialize.
5. Consider taking your meal periods and rest breaks away from others (avoid lunchrooms and crowded restaurants).

IX. OUTSIDE ACTIVITIES

A. Employees might be encouraged to the extent possible to:

1. Avoid public transportation (by walking, cycling, or driving a car) to avoid rush-hour crowding on public transportation.
2. Avoid recreational or other leisure classes, meetings, activities, etc., where employees might encounter contagious people.

POLICY 7010 LEARNING AND DEVELOPMENT

PURPOSE: To establish Fresno EOC's commitment to learning and development of employees' career and advancement opportunities.

POLICY: It is the policy of Fresno EOC to encourage employees to use the process of learning and development to explore new opportunities in managing career progression. Training will commence with the initial orientation process and may include developmental steps towards a career path and increased responsibilities in a current position. Underrepresented communities will be given opportunities to improve their education and skills to help them compete on level playing grounds with other employees.

PROCEDURES:

The benefits to Fresno EOC of effective and timely employee training and development programs are numerous:

- Confident and satisfied employees who will treat clients and co-workers with care and efficient service,
- Cross-training in other positions,
- Increased competitive advantage and responsibilities in current position,
- Lower employee turnover,
- Employees who follow safe work procedures, and
- Competent, promotable employees.

Training and development opportunities at the Agency may include:

I. EMPLOYEE ORIENTATION

The Agency employee orientation training program provides new employees with information concerning Agency policies, procedures, safety and employee benefits. Supervisors will conduct an initial orientation and training to give an employee the information needed to conduct business in their new position.

II. STAFF AND MANAGEMENT DEVELOPMENT SEMINARS

Management and regular employees are provided periodic training opportunities on a variety of subjects, from personal and professional development topics (customer service, multi-cultural awareness, computer courses, etc.) to informational programs (group insurance, retirement plan updates, etc.).

III. SAFETY TRAINING

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Fresno EOC offers training at both the Agency and program level on a variety of safety related topics.

IV. OUTSIDE SEMINARS AND CONFERENCES

The Agency supports employee attendance and participation in professional seminars and conferences offering general topics or specialized information in the employee's field. Each program establishes an annual budget for staff development seminars/conferences, within the program's financial resources.

V. MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS

The Agency encourages employee membership in professional organizations. Networking provides a cost-effective opportunity to share knowledge, resources and experiences with professionals.

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POLICY 7020XXX PROFESSIONAL CERTIFICATION REIMBURSEMENT

PURPOSE: To provide guidelines for Fresno EOC's approved professional certification and license.

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POLICY: Fresno EOC supports to employees in furthering their professional skills in their current positions to better prepare employees for their roles within the agency by providing reimbursements for professional certification and licenses to full-time employees in regular status.

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PROCEDURE:

I. ELIGIBILITY

The following eligibility requirements will apply to certification reimbursement:

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- a. Employees in a position that have a required or preferred certification requirement in their job or position descriptions, or employees whose manager and program director signs the reimbursement form and validates it is Fresno EOC's best interest for the employee to have/maintain the designated certification.
- b. Regular full-time employees who have completed 90 days of employment with Fresno EOC will receive up to 100% reimbursement for renewing or obtaining a certification within their role.

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II. PAYMENT

Based on the program discretion, reimbursement will cover:

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- a. The cost of certification exams only, or
- b. The cost of certification exams and all preparation materials.

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III. PAYMENT EXCLUSIONS:

The following exclusions apply and will not be reimbursed certification reimbursement:

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- a. Late fees
- b. Employee who did not pass the requirements to obtain certification

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IV. PROCEDURE:

When an employee requests reimbursement for certification, the employee must:

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- a. Ensure that he/she is qualified to sit for the desired certification the accrediting school, association, or organization.
- b. Satisfactorily complete all the requirements for the certification.
- c. Complete the Certification Reimbursement Application, attach documentation that the certification has been awarded and an itemized paid receipt for the certification fee.
- d. Submit the completed application materials to his/her Program Manager Director for review and approval.

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e. Send the completed, signed application and supporting materials to Human Resources for payment as soon as the certification has been received. Incomplete applications will be returned to the employee. The deadline for submitting completed certification reimbursement forms to Human Resources is 30 days following certification notification.

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V. REPAYMENT:

Employees will be expected to repay Fresno EOC the amount of certification reimbursement if the employee's employment ends within one (1) year following the completion of the certification. The employee must repay the certification reimbursement provided based the amount of passed time from certification/licensing date:-

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- A. 1 - 3 months worked, 100%
- B. 4 - 6 months worked, 75%
- C. 7 - 9 months worked, 50%
- D. 10 - 12 months worked, 25%

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VI. REIMBURSEMENT PRACTICE: An issuance of reimbursement by Fresno EOC for a specific certification or license does not guarantee future reimbursement or the rate paid for previous or future similar certifications or licenses.

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POLICY 703020 SUCCESSION PLANNING

PURPOSE: Recognizing that changes in management are inevitable, Fresno EOC has established a succession plan to provide continuity in leadership and avoid extended and costly vacancies in key positions. Fresno EOC's succession plan is designed to identify and prepare candidates for high-level management positions that become vacant due to retirement, resignation, death, or new business opportunities.

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POLICY: It is the policy of Fresno EOC to assess the leadership needs of the ~~agency~~company to ensure the selection of qualified leaders that are diverse and a good fit for the organization's mission and goals and have the necessary skills for the organization.

PROCEDURES:

The CEO is responsible for Fresno EOC's succession plan. The CEO chairs the succession planning committee, which also includes the ~~Executive Officers, Chief Operation Officer, Chief Program Officer, Chief Finance Officer, and the Human Resources Officer~~Human Resources Office.

A. TIMELINE

Each January, a succession planning committee meeting will be held. At each meeting, each program director will:

- Present to the committee a review of the program succession plan.
- Identify key positions and incumbents targeted for succession planning. This should include an analysis of planned retirements, potential turnover, etc.
- Identify individuals who show the potential needed for progression into the targeted positions and leadership within the ~~company~~agency.
- Outline the actions taken in the previous six months to prepare identified individuals to assume a greater role of responsibility in the future.

By the end of February each year, the committee will approve targeted candidates.

By the end of March each year, the committee will approve an outline of actions that will be taken in the following six months to prepare individuals to assume a greater role of responsibility in the future.

The CEO will periodically request updates from senior management on the development process for each targeted candidate.

The committee establishes a succession plan that identifies critical executive and management positions, forecasts future vacancies in those positions and identifies potential managers who would fill vacancies. Vacancies will be filled from within or, in the event no viable candidate is available, on an "acting" basis while an external recruitment effort is conducted.

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POLICY 70~~4030~~ PERFORMANCE EVALUATIONS

PURPOSE: To motivate employees, assess job performance and progress, communicate expected standards of performance, and discuss future objectives and goals.

POLICY: It is the policy of Fresno EOC that the job performance of each employee should be evaluated regularly by their supervisor. Performance evaluations are a management tool and provide an objective and consistent process to measure each employee's performance. The evaluation process should inform employees of their employment standing and communicate expected standards of performance. It is also used to discuss work standards, areas where improvement is needed, corrective plans, development and growth opportunities.

PROCEDURES:

I. EVALUATION SCHEDULE

A. **Introductory Period and Evaluation:** The introductory period applies to all employees, commences on the employee's seniority date and lasts ~~three (3) months~~~~six (6) months~~. During this time, supervisors should carefully observe the performance of the employee. Where appropriate, weaknesses in performance and behavior are to be brought to the employee's attention for correction.

A formal evaluation will be conducted by the supervisor at the midpoint of the introductory period, and a full written performance evaluation will be completed at the end of the ~~three (3) six (6)~~-month period. The employee will transition from introductory status when they have received a satisfactory evaluation and recommendation of status change from their supervisor and approval by the Program Manager/Director (see policy 1140, Introductory Period).

B. ~~Annual Evaluation: Performance evaluations will occur on an annual (12 month) basis from the employee's seniority date.~~~~Common Date Evaluation: Performance evaluations will occur on a common date basis, January 1, annually thereafter.~~

II. PERFORMANCE FACTORS TO BE CONSIDERED IN EVALUATIONS

When evaluating employees, supervisors should consider factors such as experience and training, commitment to continuing education, job duties and responsibilities, and attainment of previously set objectives and goals. Other factors to be considered include but are not limited to knowledge of the job, quantity and quality of work, promptness in completing assignments, cooperation, initiative, reliability, attendance, judgment, conduct, and acceptance of responsibility.

III. PERFORMANCE EVALUATION PROCESS

A. **Written Evaluation:** In conjunction with established timelines, supervisors should prepare a written evaluation of each employee's job performance using the approved performance evaluation template. The evaluation should include the supervisor's comments

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and recommendations, an action plan for both the employee and supervisor, and performance goals for the next evaluation period.

B. Evaluation Review with Employee: The supervisor should review the evaluation with the next level of management prior to meeting with the employee to discuss the evaluation. During the meeting the employee and supervisor should assess the employee's strengths and weaknesses in a constructive manner and set objectives and goals for the period ahead. The employee should be given the opportunity to review the evaluation and make written comments about any aspect of it. The evaluation is signed by the supervisor and employee. A copy of the evaluation will be provided to the employee. The evaluation is forwarded to the ~~Human Resources Department~~ Human Resources Office for processing and inclusion in the employee's personnel file. An approved Employee Form should accompany the performance evaluation, if necessary.

An employee who contests the evaluation may file a written response to the performance evaluation within thirty (30) days of receiving the performance evaluation. The response will be attached to the performance evaluation and included in the personnel file.

C. Effects of Performance Evaluations: Information derived from the performance evaluation will be considered when making decisions affecting training, pay, promotion, transfer, or continued employment. An employee will not be eligible for a pay increase if the overall evaluation of an employee is unsatisfactory, ~~or improvement is needed~~. A Performance Improvement Plan (PIP) will be developed by the employee's supervisor, and the employee will be reviewed again within ninety (90) days. If no improvement is shown, the employee will be subject to discipline up to and including termination in accordance with the ~~corrective action~~ disciplinary action procedure (see Policy 5030, Progressive Discipline).

IV. PERFORMANCE IMPROVEMENT PLAN

The Performance Improvement Plan (PIP) is a formal process wherein the supervisor meets with the employee to provide structured counseling and feedback regarding performance and conduct.

~~If the employee fails to successfully complete the PIP, the supervisor will follow the discipline procedures. An employee may be placed on a PIP lasting in increments of thirty (30), sixty (60) or ninety (90) days. The duration of one Performance Improvement Plan, including extensions, cannot exceed, up to a maximum of ninety (90) days. The supervisor must schedule weekly meetings with the employee to follow up on areas needing improvement if the PIP is thirty (30) days. If the PIP is more than 30 days, the supervisor must meet at least bi-weekly. During the PIP, the supervisor must evaluate the employee at the midpoint and at the end of the period.~~

The supervisor will review the outcome of PIP with the employee, and either end or extend the PIP up to a maximum of ninety (90) days. The employee may be terminated at any point during the PIP for failure to demonstrate immediate and sustained improvement in job performance and/or conduct.

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POLICY 7040 EMPLOYEE ASSISTANCE PROGRAM

PURPOSE: The Employee Assistance Program is a confidential resource that helps employees deal with life's challenges and the demands that come with balancing home and work. The program provides professional counseling and referrals for a wide array of personal and work-related concerns.

POLICY: It is the policy of Fresno EOC to recognize that personal problems may have a negative impact on an employee's attendance, job performance, or behavior at work. Employees may occasionally benefit from professional assistance with personal problems. Accordingly, Fresno EOC provides an Employee Assistance Program (EAP) for all employees.

REFERENCE: California Labor Code §§ 1025-1026, Civ. Code § 56 et seq., California Constitution, Article 1, § 1.

PROCEDURES:

I. EMPLOYEE ASSISTANCE PROGRAM

The Employee Assistance Program is administered by an outside employee assistance firm. The EAP provides confidential and professional counseling and when appropriate, referral to other services to address personal problems. The EAP is offered to enhance personal well-being.

Employees who need assistance with a personal life situation should contact EAP. Although employees are encouraged to use the EAP, participation in the program does not relieve an employee of their obligation to perform their work in a satisfactory manner and to comply with other Fresno EOC rules and guidelines including Fresno EOC's Alcohol/Drug-Free Workplace policy.

If a violation of Fresno EOC's Alcohol/Drug-Free Workplace policy occurs, subsequently using the EAP will not necessarily lessen discipline and may, in fact, have no bearing on the determination of appropriate discipline (see Policy 5040, Alcohol/Drug-Free Workplace). The employee's decision to seek assistance from the EAP will not be used as a basis for discipline and will not be used against the employee in any disciplinary proceeding. On the other hand, using the EAP will not be a defense to the imposition of discipline where facts proving a violation of the Alcohol/Drug-Free Workplace policy are obtained outside of the EAP. Accordingly, the purpose and practice of the Alcohol/Drug-Free Workplace policy and an employee's use of the EAP are not in conflict and are distinctly separate in their application.

II. ELIGIBILITY

The Employee Assistance Program is offered to all employees and all household members.

III. COUNSELING AND REFERRAL SERVICES

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The EAP program provides for up to three (3) free visits per six (6) month period for problem assessment, professional consultation, counseling, information, and/or referral. EAP counseling is typically a three stage process that includes (1) clarifying the problem, (2) identifying the possible solutions, and (3) developing an action plan. If the action plan calls for treatment by another resource, participating employees will be responsible for paying those fees or some of the costs may be covered under the group health plan. EAP brochures and information for online resources are available from the Human Resources Department Human Resources Office.

IV. — USE OF THE EAP

Employees should make every effort to schedule EAP appointments before or after working hours, or during meal periods. EAP appointments scheduled during working hours will be treated the same as medical appointments and may be charged against sick time unless it is employer mandated.

V. — SELF-REFERRAL

Any employee or dependent who desires confidential assistance with a personal problem should call EAP directly. The EAP will arrange for a counselor to see the individual for confidential consultation.

VI. — SUPERVISOR REFERRAL

In collaboration with the Human Resources Department Human Resources Office, supervisors may refer an employee to the EAP when the supervisor has reason to believe that an attendance, behavior, or work performance problem may be the result of a personal problem. Employees may be required to attend the EAP as a condition of employment when deemed necessary. Fresno EOC, however, may take such steps as it deems appropriate in response to the underlying attendance, behavior, or work performance problem.

VII. — CONFIDENTIALITY

All EAP records and services are treated confidentially. The EAP will not share information concerning an individual's involvement in the program without the individual's written permission unless life, safety, or national security is seriously threatened, or disclosure is otherwise required by law.

If an employee is referred to the EAP by the employee's supervisor because of an attendance, behavior, or work performance problem, the EAP will confidentially inform Human Resources whether the employee attends the EAP session(s) and cooperates with the counseling plan. However, no further information will be shared by EAP without the employee's written permission.

VIII. — EMERGENCY RESPONSE TO CRITICAL INCIDENTS

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~~In the event of a crisis or a critical incident (e.g., suicide or death of a co-worker, critical accident), the EAP's Critical Incident Response Team responds by debriefing the individuals involved in the traumatic event.~~

~~**IX. QUESTIONS REGARDING EAP PROGRAM**~~

~~Questions regarding EAP services should be directed to the Human Resources Department Human Resources Office or the EAP.~~

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POLICY 7050 SEPARATION OF EMPLOYMENT

PURPOSE: To define the types of separations of employment from Fresno EOC and the process.

POLICY: Employees separate from employment with Fresno EOC by resignation, discharge, a reduction in the work force, reorganization, or retirement. This policy is only a guideline and shall not be construed to act as or create any type of employment contract with any employee of Fresno EOC. Fresno EOC reserves the right to implement its policies and procedures in the best interest of the Agency.

REFERENCE: California Labor Code §§ 201 and 201.5; § 227.3; §§ 221, 224, and 225.5.

PROCEDURES:

I. DEFINITIONS

A. Voluntary Separation: Fresno EOC will consider an employee to have voluntarily ended their employment if they:

1. Elect to resign or retire; or
2. Fail to return from an approved leave of absence on the date specified by medical certification paperwork and is not otherwise extended as a reasonable accommodation; or
3. Fail to provide the required certification or forms for approval of a leave of absence when such forms are required to be submitted; or
4. Fail to report for work without notice to Fresno EOC for three consecutive days.

B. Involuntary Termination: An employee may be terminated, at-will, with or without cause, with or without notice at any time (see Policy 1010, At-Will Employment).

Notice of termination should be handled carefully and discreetly, preferably in a private meeting including the employee to be terminated, the immediate supervisor, and representative of Human Resources.

C. Layoff Due to Reorganization, Job Elimination, or Lack of Work: From time to time, Fresno EOC may need to separate an employee as a result of reorganization, consolidation, job elimination, lack of work, or when funds are withdrawn or reduced (see Policy 70760, Layoffs).

II. VOLUNTARY SEPARATION PROCESS

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Employees are encouraged to give two weeks' written notice prior to resignation. During this notice period, employees are expected to work their full remaining schedule to ensure a smooth transition and the completion of outstanding tasks. The supervisor or manager will prepare a Personnel Termination Form as the first step in the separation process. The form should be accompanied by supporting documents, such as a letter of resignation and final timesheet. All documents will be forwarded to the ~~Human Resources Department~~Human Resources Office for processing.

III. INVOLUNTARY TERMINATION PROCESS

All involuntary terminations must be approved at the executive management level and by the responsible Officer or designee. The supervisor should contact the ~~Human Resources Department~~Human Resources Office to start the termination process.

The supervisor will be required to complete the Personnel Separation Form accompanied with the timesheet, performance evaluation, discipline or other supporting documentation. All documents will be forwarded to the ~~Human Resources Department~~Human Resources Office for processing. In addition, all terminations of Head Start/Early Head Start employees must be accepted by the Head Start Policy Council. The ~~Human Resources Director/Officer~~Human Resources Office or Manager should review the termination requests to ensure proper documentation and procedures have been followed and to ensure compliance with any state and/or federal laws.

IV. EXIT PROCESS

Employees must return all Fresno EOC-furnished property, such as uniforms, tools, equipment, I.D. cards, keys, key cards, credit cards, and other Fresno EOC documents. Arrangements for clearing any outstanding debts with Fresno EOC such as travel advances, or petty cash must be made prior to the date of termination.

V. BENEFITS

The ~~Human Resources Department~~Human Resources Office is responsible for notifying employees who are covered by Fresno EOC's group health plan of their right to continue coverage under that plan. Information regarding other benefits such as retirement life insurance conversion, etc. will also be provided. The employee may be eligible for unemployment benefits; determination of benefits will be made by Employment Development Department.

VI. PAYMENT ON RESIGNATION OR TERMINATION

If an employee resigns, a final paycheck will be available on the final day of work, provided the employee has given at least seventy-two (72) hours' prior notice. If an employee resigns without giving seventy-two (72) hours' notice or fails to return to work, a final paycheck will be made available for the employee to pick up no later than seventy-two (72) hours after the date when an employee is considered to have resigned, unless the employee consents to Human Resources that their final paycheck may be mailed.

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If an employee is terminated involuntarily, the final paycheck will be available at the time of discharge.

The employee's final paycheck will include payment for all wages due and for unused vacation time, minus authorized deductions. Sick time is not compensable and will not be paid upon separation of employment.

VII. REQUESTS FOR REFERENCES

Requests for employment references or verifications of employment should be directed to the ~~Human Resources Department~~ Human Resources Office.

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POLICY 7060 LAYOFFS AND FURLOUGHS

PURPOSE: To establish a fair and consistent procedure for determining and notifying employees of pending layoffs or furloughs.

POLICY: It is the policy of Fresno EOC to recognize that layoffs or furloughs may become necessary due to (1) job elimination, (2) lack of work, (3) reorganization, (4) consolidation, or (5) when funds are withdrawn or reduced, resulting in the phasing out of positions or programs or (6) budget constraints.

REFERENCE: Worker Adjustment and Retraining Notification Act (WARN Act) (U.S.C. § 2101-2109 et seq.), Consolidated Omnibus Budget Reconciliation Act of 1985

PROCEDURES:

I. LAYOFFS

A. Factors Used to Determine Order of Layoffs: If a layoff is determined to be necessary, the Director shall consult the ~~Human Resources Department~~ Human Resources Office to develop a layoff plan to be approved by the responsible Officer. This plan shall include the anticipated number and classifications of employees to be laid off and a plan for conducting an orderly layoff plan to minimize adverse effects on the employees to be laid off. Once the scope of the layoff is determined, employees will generally be laid off in the following order:

1. Temporary and on-call employees;
2. Introductory employees;
3. Regular Part-Time employees; and
4. Full-Time employees

Fresno EOC reserves the right to deviate from this order whenever it concludes that circumstances warrant such a deviation.

Within each of the classifications noted above, employees shall be selected for layoff based on a combination of factors, including, but not limited to: the ability to perform the work required, past performance, qualifications, attendance, punctuality, and length of service with the Agency and the program.

B. Interview Priority: An employee who has successfully completed their introductory period and who is ~~identified~~ selected for layoff may apply for any open position for which they are qualified. An application must be submitted no later than ninety (90) days after the date of layoff (see Policy 1090, Recruitment, Selection, and Employment). Affected employees who meet the qualifications for the open positions will be automatically considered a finalist, will be entitled to an interview and will be required to go through the selection process along with other candidates.

C. Separation Process: see Policy 7050, Separation of Employment, sections IV - VI.

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II. FURLOUGHS

A. Fresno EOC may initiate and approve furlough leaves of absence. Furlough reasons include but are not limited to when financial conditions and make it necessary for the Agency to do so when the program temporarily stops operations.

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-A furlough is a temporary period of leave, that places affected employees on a reduced schedule or a leave of absence/non-paid status for a limited and specific period of time. Employee furloughs are subject to the following:

- The employee remains employed with the Agency and maintains their hire/rehire date (see Policy 1070 Employment Classifications).
- ~~The employee may choose to use any accrued vacation or sick time available during this period. If an employee will be on a temporary furlough leave of absence that extends beyond the current payroll period the furlough is scheduled to begin, the employee will be paid all accrued vacation along with the final paycheck on the date of the furlough. Further, the employee may be eligible for unemployment insurance benefits.~~
- The Agency shall continue to pay the full employee share of health premiums for those employees and dependents who are enrolled, during the furlough period and the employee shall continue to be eligible for such benefits, not to exceed four months. The employee can remit the monthly insurance premium amount while on furlough or upon returning to work, the premiums shall be reimbursed by payroll deductions. If the furlough leave extends beyond four months, employees will receive notification to elect to continue coverage through Consolidated Omnibus Budget Reconciliation Act (COBRA).

Furlough leave provisions do not apply to employees on worker's compensation leave due to an industrial illness or injury.

POLICY 7070 – SEVERANCE PAY

PURPOSE: The purpose of this policy is to outline discretionary severance pay benefits that may be implemented at the discretion of Fresno EOC.

POLICY: This policy, when implemented at the discretion of Fresno EOC, applies to all exempt and non-exempt, full-time and part-time employees. Part-time employees may receive severance pay on a pro-rated basis in accordance with their scheduled hours. Severance pay benefits are also subject to program restrictions and funding.

PROCEDURES:

In the event of an involuntary termination due to a reduction in force/downsizing, change in program or agency direction, job elimination, or as otherwise deemed appropriate by Fresno EOC, the Agency may provide a severance benefit for the affected employees. This does not apply to terminations for cause, refusal to be reassigned, or refusal to be relocated.

A. SEVERANCE PRACTICE: An issuance of severance pay by Fresno EOC for a specific event does not guarantee future severance pay or the rate paid for previous or future similar events.

B. SEVERANCE RATES: Criteria for the rate of severance pay are:

- 1). Non-exempt staff: severance pay equivalent to two weeks' pay.
- 2). Exempt management staff: severance pay equivalent to one month's pay.
- 3). Exempt director staff: severance pay equivalent to two months' pay.
- 4). Officers: severance pay equivalent to three months' pay.
- 5). Chief Officers: severance pay equivalent to four months' pay.

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BOARD OF COMMISSIONERS MEETING

Date: January 27, 2025	Program: Information Technology
Consent Agenda Item #: 10_5	Director: Ian Matthews
Subject: California Advanced Services Fund Broadband Adoption Account	Officer: Greg Streets

Recommended Action

Staff recommends ratification for full Board consideration of the California Advanced Services Fund (CASF) Broadband Adoption Account application to the California Public Utilities Commission (CPUC) in the amount of \$150,000 over a two-year project period.

Background

Since 2020, Fresno EOC’s Access to Technology Program through the Foster Grandparent Program (FGP) has been dedicated to bridging the digital divide through community-based digital literacy instruction for older adults. Both the FGP and this project aim to provide culturally and linguistically appropriate peer-to-peer educational opportunities in Fresno County targeting communities with low digital literacy rates, including Sanger, Mendota, Parlier, San Joaquin, Huron, and Orange Cove. Fresno EOC will engage 306 community members ages 18 to 59 with digital literacy classes conducted in English and Spanish. The curriculum will cover essential skills such as device and internet usage, social media, email communication, and internet safety. All classes will be offered at no cost to participants. The Microsoft Digital Literacy curriculum is tailored to accommodate varying levels of digital knowledge, including those with minimal or no prior technology experience. Through this program, individuals will gain crucial skills to empower them in today’s digital world.

The application was submitted on January 1, 2025. The project term will be determined upon application approval.

Fiscal Impact

This funding will cover personnel expenses, program implementation costs, supplies, and participant incentives, including iPads, which will be distributed upon successful completion of the program. A match of 15% (\$22,500) is required.

Information Technology (IT) 24 Month Project Period					
DIGITAL LITERACY PROJECT \$150,000			GRANT	MATCH	TOTAL
PERSONNEL		FTE	AMOUNT	AMOUNT	AMOUNT
	PROGRAM MANAGER	0.18	\$ 29,214	\$ -	\$ 29,214
	NAVIGATOR COORDINATOR	0.21	\$ 22,612	\$ -	\$ 22,612
	PC NETWORK NETWORK TECHNICIAN	0.21	\$ 20,339	\$ -	\$ 20,339
	FRINGE BENEFITS		\$ 19,882	\$ -	\$ 19,882
TOTAL PERSONNEL			\$ 92,047	\$ -	\$ 92,047
PROGRAM EXPENSES					
	PROJECT STAFF TRAVEL		\$ 17,391	\$ -	\$ 17,391
	EQUIPMENT		\$ -	\$ -	\$ -
	SUPPLIES		\$ 19,250	\$ 6,500	\$ 25,750
	CONTRACTUAL & CONSULTANT SERVICES		\$ -	\$ -	\$ -
	OTHER COSTS		\$ 7,305	\$ 16,000	\$ 23,305
	PARTICIPANT COSTS		\$ -	\$ -	\$ -
INDIRECT COSTS			\$ 14,007	\$ -	\$ 14,007
TOTAL BUDGET			\$ 150,000	\$ 22,500	\$ 172,500

CSBG Organizational Standards

Organization demonstrates low-income individuals' participation in activities and analyzes information collected directly from low-income individuals as part of community assessment per Category 1, Standard 1.1 and 1.2.

The community assessment includes key findings on the causes and conditions of poverty and the needs of the communities assessed per Category 3, Standard 3.4.

Conclusion

If ratified by the Board, this initiative will enable the agency to expand digital literacy classes for community members in rural areas in Fresno County. If not ratified, Fresno EOC will not accept funds, if awarded, to expand digital literacy classes to communities with low digital literacy rates.

BOARD OF COMMISSIONERS MEETING

Date: January 27, 2025	Program: Energy Services
Consent Agenda Item #: 10_6	Director: Latisha Conway
Subject: Weatherization Subcontractor Selection	Officer: Sherry Neil

Recommended Action

Staff recommends approval for full Board consideration of the Energy Services Low-Income Home Energy Assistance (LIHEAP) and Department of Energy (DOE) Weatherization Subcontractor selection recommendation to complete weatherization services for a 24-month period beginning January 1, 2025, with the following qualified licensed contractors:

- 1) Sundowner Insulation Company Inc. - Clovis, CA
- 2) Reliable Energy Management Inc. - Tulare, CA
- 3) CarrollCo Inc. - Fresno, CA

Background

On November 5, 2024, Fresno EOC published a formal Request for Proposal (RFP) public notice for “WEATHERIZATION SERVICES”. The RFP procurement solicitation process resulted in five (5) responses received on December 6, 2024. Proposals were reviewed by the following panel: Interim Deputy CEO, Chief Financial Officer, Energy Services Manager/RME, Energy Services Compliance Manager and Energy Services Quality Assurance Supervisor.

Energy Services will develop subcontractor agreements based on per measure and time and material pricing. The subcontractor agreement will not state a total contract value or minimum unit allocation. The unit assignment will be equally distributed based on geography, specialty, and capacity for timely scheduling, installation completion turnaround and post-inspection verification.

The table below provides the subcontractor recommendations for this project.

Sub-Contractor Name	Location	Estimated Contract Value
Sundowner Insulation Company Inc.	Clovis, CA	~ \$1,500,000*
Reliable Energy Management Inc.	Tulare, CA	~ \$1,500,000*
CarrollCo Inc.	Fresno, CA	~ \$1,500,000*

The subcontractor allocation of units will be dependent on various factors including the amount of funding provided by the State of California, Department of Community Services and Development (CSD). As such, the amount of funding estimated above is considering all current open contract

funding availability and will change as additional funding is awarded over the 24-month contract period.

Fiscal Impact

The Board approved the agreements below which will support funding for the recommended subcontractors.

Agreement Name	Agreement Number
2022 US Department of Energy (DOE) Weatherization Assistance Program (WAP)	22C-6004
2022 US Department of Energy (DOE) Bipartisan Infrastructure Law (BIL)	22P-7007
2025 Low-Income Home Energy Assistance Program (LIHEAP)	25B-3008

Conclusion

If approved by the Board, qualified and approved subcontractors will provide continuity of services to vulnerable populations within Fresno County in a timely manner and support the fulfilment of existing and future CSD contracts. If not approved, Energy Services will not be able to provide vital Weatherization services to low-income households in Fresno County and will not be able to meet CSD contractual goals.

BOARD OF COMMISSIONERS MEETING

Date: January 27, 2025	Program: Energy Services
Consent Agenda Item #: 10_7	Director: Latisha Conway
Subject: 2022 Weatherization Assistance Program Agreement Amendment 4	Officer: Sherry Neil

Recommended Action

Staff recommends approval for full Board consideration of the State of California, Department of Community Services and Development (CSD), Weatherization Assistance Program (WAP) Agreement Number 22C-6004, Amendment 4 to \$1,672,442, reflecting an increase of \$21,868.

Background

The Board approved the 2022 WAP Agreement at the August 24, 2022, meeting, (Agenda Item 14-D5), Amendment 1 at the June 29, 2023 meeting (Agenda Item 11-D9) and Amendments 2 and 3 at the September 16, 2024 meeting (Agenda Item 5_29).

On December 6, 2024, CSD notified Fresno EOC of the additional 2022 WAP agreement funds allocated to Local Service Providers (LSP's). Since Fresno EOC has an existing 2022 DOE WAP agreement, the agency was granted the 2024 DOE WAP allocation as Amendment 4. This 36-month agreement ends on June 30, 2025.

Fiscal Impact

The total additional award amount of \$21,868 includes an allocation of \$20,000 for Weatherization services. The remaining funds will support program operating costs.

The chart below provides a cost breakdown for Agreement Number 22C-6004.

Budget Line Item	2022 DOE WAP	2023 DOE WAP Amendment 1	2024 DOE WAP Amendments 2 & 3	2024 DOE WAP Amendment 4	Total Line-Item Amount
Personnel & Operations	\$54,525	\$853,753	\$81,894	\$1,868	\$992,040
Weatherization	\$256,722	\$362,743	\$40,937	\$20,000	\$680,402
Total Agreement Amount	\$311,247	\$1,216,496	\$122,831	\$21,868	\$1,672,442

Conclusion

If approved by the Board, this additional funding will allow the Energy Services program to assist approximately two low-income households with Weatherization services. If not approved, Energy Services will not be able to provide home repair assistance to additional low-income households in Fresno County requiring Weatherization services.

BOARD OF COMMISSIONERS MEETING

Date: January 27, 2025	Program: Energy Services
Consent Agenda Item #: 10_8	Director: Gilda Arreguin
Subject: 2024 Low-Income Home Energy Assistance Program Agreement Amendment 3	Officer: Sherry Neil

Recommended Action

Staff recommends ratification for full Board consideration of the State of California, Department of Community Services and Development (CSD), Low-Income Home Energy Assistance Program (LIHEAP) Agreement Number 24B-2008, Amendment 3 to \$12,806,691, reflecting an increase of \$37,235.

Background

LIHEAP funding is the backbone of Energy Services’ strategic focus area in reducing housing instability for low-income individuals and families.

The Board approved the 2024 LIHEAP Agreement at the December 7, 2023, meeting, (Agenda Item 13D5), Amendments 1 and 2 at the September 16, 2024 meeting (Agenda Item 5_17). The 20-month agreement ends on June 30, 2025.

Fiscal Impact

CSD is issuing Amendment 3 to facilitate the final release of the 2024 LIHEAP grant funds to LIHEAP Service Providers (LSP’s).

Conclusion

If ratified by the Board, this additional funding will allow Energy Services to continue providing utility assistance payments to an additional 175 low-income Fresno County households. If not ratified, Energy Services will not be able to provide utility assistance to additional families in need.

BOARD OF COMMISSIONERS MEETING

Date: January 27, 2025	Program: Sanctuary and Support Services
Consent Agenda Item #: 10_9	Director: Misty Gattie-Blanco
Subject: Human Trafficking Victim Assistance Program	Officer: Sherry Neil

Recommended Action

Staff recommends approval for full Board consideration of the Human Trafficking Victim Assistance (HV) Program grant application to the California Office of Emergency Services (Cal OES), Victims Services (VS) Branch in the amount of \$566,666 over a 12-month project period from April 1, 2025, to March 30, 2026.

Background

The purpose of the program is to provide comprehensive safety and supportive services to all survivors of human trafficking by enhancing access to essential direct services.

Sanctuary and Support Services has operated the Central Valley Against Human Trafficking project (CVAHT) since 2009. In 2016, CVAHT received funding from Cal OES, and this support has been awarded annually ever since. This funding is specifically allocated for recipients who were funded in the previous fiscal year. As such, Fresno EOC is eligible to submit a proposal in the amount of \$566,666 for a 12-month project period. This amount reflects a decrease of \$333,333 compared to the previous year's funding of \$899,999. A subcontract with Family Healing Center will be awarded for therapy services. Due to the significant decrease in funding no other contracts will be sub-awarded.

From April 1, 2024, to September 30, 2024, this project has utilized 54.5% of their grant award. During this period, notable outcomes include: four survivors contacted the crisis line, 41 survivors were provided temporary safe shelter and/or temporary housing, over 1,600 meals were provided, 161 survivors provided in-person counseling, and 105 survivors were provided with legal assistance.

The grant application is due on January 27, 2027.

Fiscal Impact

This funding will support personnel, operational and supportive service costs over a 12-month project period. No match is required.

Sanctuary and Support Services - CVAHT
April 1, 2025 - May 31, 2026
\$566,666

Human Trafficking Victim (HV) Program	GRANT	
	FTE	AMOUNT
PERSONNEL		
SANCTUARY DIRECTOR	0.06	\$ 7,498
PROGRAM MANAGER	0.80	\$ 62,681
OUTREACH COORDINATOR	0.50	\$ 29,930
ANTI-HUMAN TRAFFICKING CASE MANAGER/ADVOCATE	3.00	\$ 150,882
PROGRAM ASSISTANT	0.10	\$ 4,153
CVAHT ADMINISTRATIVE ASSISTANT	0.75	\$ 29,528
FRINGE BENEFITS	0.00	\$ 111,514
TOTAL PERSONNEL		\$ 396,186
PROGRAM EXPENSES		
PROJECT STAFF TRAVEL		\$ 16,552
EQUIPMENT		\$ -
SUPPLIES		\$ 6,240
CONTRACTUAL & CONSULTANT SERVICES		\$ 5,000
OTHER COSTS		\$ 32,357
PARTICIPANT COSTS		\$ 57,415
INDIRECT COSTS		\$ 52,916
TOTAL BUDGET		\$ 566,666

Conclusion

If approved by the Board, this funding will support the continuation of the CVAHT project. If not approved, Sanctuary and Support Services will not accept grant funds if awarded, resulting in insufficient funding for the continuation of the project and its operations.

BOARD OF COMMISSIONERS MEETING

Date: January 27, 2025	Program: Sanctuary and Support Services
Consent Agenda Item #: 10_10	Director: Misty Gattie-Blanco
Subject: Flexible Assistance for Survivors Pilot Grant Program	Officer: Sherry Neil

Recommended Action

Staff recommends ratification for full Board consideration of the Flexible Assistance for Survivors Pilot Grant Program grant application to the California Governor’s Office of Emergency Services (Cal OES), Victim Services (VS) Branch in the amount of \$250,000 over a 12-month project period from May 1, 2025, to April 30, 2026.

Background

Assembly Bill (AB) 200, chaptered on June 29, 2022, created the Flexible Assistance for Survivors (FAS) Pilot Grant Program to improve safety, healing, and financial stability for victims/survivors of crime, and the loved ones of those violently injured or killed; through the establishment of assistance funds to distribute in direct cash assistance. Assembly Bill 179, Chaptered on September 30, 2024, amended the program to allow organizations to distribute flexible cash assistance funds to a victim/survivor directly, to the parent or guardian of a survivor, or to a vendor, business, or another third party to pay for an expense or to purchase a product on a survivor’s behalf, as specified.

This Program was developed in collaboration with the FAS Pilot Grant Program Advisory Committee. The FAS Pilot Grant Program Advisory Committee is comprised of persons appointed by the Governor, Speaker of the Assembly, and Senate President pro Tempore.

Funding allocations are based on the number of victims/survivors the applicant and all partner organizations served in 2022-2023.

Tier	Number of Victims/Survivors Served in FY 2022-23	Maximum Allocation
1	50 or Fewer	\$100,000
2	51 - 200	\$250,000
3	201 - 350	\$400,000
4	351 - 500	\$550,000
5	501 - 650	\$700,000

The proposal was submitted on January 24, 2025.

Fiscal Impact

This funding will support personnel, operational and supportive service costs over a twelve-month project period. No match is required.

Sanctuary and Support Services - CVAHT May 1, 2025 - April 30, 2026 \$250,000		
Flexible Assistance for Survivors Pilot Program	GRANT	
PERSONNEL	FTE	AMOUNT
PROGRAM MANAGER	0.10	\$ 7,912
CVAHT ADMINISTRATIVE ASSISTANT	0.15	\$ 5,963
FRINGE BENEFITS	0.00	\$ 5,450
TOTAL PERSONNEL		\$ 19,325
PROGRAM EXPENSES		
PROJECT STAFF TRAVEL		\$ -
EQUIPMENT		\$ -
SUPPLIES		\$ 785
CONTRACTUAL & CONSULTANT SERVICES		\$ -
OTHER COSTS		\$ 2,556
PARTICIPANT COSTS		\$ 225,000
INDIRECT COSTS		\$ 2,334
TOTAL BUDGET		\$ 250,000

Conclusion

If ratified by the Board, funding for this program will be utilized to expand direct financial assistance to victims and survivors of crime. If not ratified, Sanctuary and Support Services will not accept funding if the grant is awarded and will not be able to provide additional financial assistance to victims and survivors of crime.

BOARD OF COMMISSIONERS MEETING

Date: January 27, 2025	Program: Valley Apprenticeship Connections
Consent Agenda Item #: 10_11	Director: Patrick Turner
Subject: Strong Workforce Program Agreement	Officer: Sherry Neil

Recommended Action

Staff recommends ratification for full Board consideration of the Strong Workforce Program Agreement from the State Center Community College District (SCCCD) in the amount of \$600,000 over a 36-month project period from January 1, 2025, to December 31, 2027.

Background

Vocational Apprenticeship Connections (VAC) is a comprehensive pre-apprenticeship 12-week training designed to prepare participants with essential skills, earn professional certifications, and give back to the community, while students gain valuable hands-on construction experience.

Throughout the program, participants benefit from 25 detailed lesson plans and 150 hours of the “Thinking for Change” training. This evidence-based cognitive behavioral program empowers individuals to resolve conflicts, reflect on their life experiences, and make more informed professional and personal choices.

Over the 36-month project period, VAC aims to recruit, screen, and train nine cohorts, each consisting of at least 15 participants.

The agreement will be fully executed upon the approval of the SCCCDC Governing Body which is scheduled to meet on February 4, 2025.

Fiscal Impact

This funding will support personnel and operating expenses totaling \$181,324 and Indirect costs of \$18,676 per year over a 36-month project period. No match is required.

VAC			
1/1/25-12/31/27			
\$600,000			
	State Center Community College District \$600,000		GRANT
PERSONNEL		FTE	AMOUNT
	ADMIN/OPERATION MANAGER	0.05	\$ 11,792
	PROGRAM MANAGER	0.18	\$ 40,884
	TRAINING FACILITATOR	0.30	\$ 43,794
	TRADES INSTRUCTOR	0.50	\$ 89,962
	ASSISTANT DIRECTOR	0.20	\$ 60,049
	PROGRAM ASSISTANT	0.13	\$ 14,133
	FRINGE BENEFITS		\$ 65,155
TOTAL PERSONNEL		1.35	\$ 325,769
PROGRAM EXPENSES			
	PROJECT STAFF TRAVEL		\$ 1,965
	SUPPLIES		\$ 86,912
	OTHER COSTS		\$ 129,327
INDIRECT COSTS			\$ 56,028
TOTAL EXPENSES			\$ 274,232
TOTAL BUDGET			\$ 600,000

Conclusion

If ratified by the Board, funding for this program will serve approximately 135 low-income participants with behavioral, skill building and construction work experience. If not approved, VAC will have to terminate its agreement with SCCCD.



**COUNTY-WIDE POLICY COUNCIL (CWPC)
MINUTES
DECEMBER 3, 2024**

- CALL TO ORDER** The meeting was called to order at 6:06 p.m. by Aldo Alvarado Rebolledo, CWPC Chairperson.
- ROLL CALL** Roll Call was called by Aldo Alvarado Rebolledo, CWPC Chairperson. The following Representatives were present: Aldo Alvarado Rebolledo, Adriana Cuevas, Anna Fernandez, Emily Ramirez, Viridiana Estrada Alvarado, Ashley Prendez, Jalyssa McGill Jenkins, Domencia Goff, Cynthia Espindola, Jackeline Miranda, Michelle Taylor, Destiny Campos, Meagan Esqueda Bonilla, Mariana Herrera, Phillip Pikes, Alma Martinez Guillen, Jacqueline Avila, Shiann Sandoval, Reshale Thomas, Nicole Johnson, Maria Padilla, Amy Nuno, Maria Cervantes, Itzel Godoy, Maylee Torres, Melanie Garcia, Martha Martinez, Gloria Martinez, Elizabeth Ortega, Braudio Castaneda, Juan Alberto Castro, Kay Quintero, Yajaira, Cesi, Karina Padilla, Natisha Goins, Steven Taylor and Jimi Rodgers.
- APPROVAL OF PREVIOUS CWPC MINUTES** Motion to approve the November 5, 2024, CWPC Minutes as written and read was made by Shiann Sandoval and seconded by Gloria Martinez. Motion carried.
- FRESNO EOC PROGRAM REPORT – HEALTH SERVICES** David Beale, Program Manager for Adolescent Family Life Program, stated the Fresno EOC Community Clinic helps with circumstances further than general health requests. The clinic also supports those seeking reproductive health services. If you are of a reproductive age and looking for confidential reproductive health services, the EOC Clinic can provide information, and patients may proceed with or without health insurance in the initial stage phase.
- The clinic also has a home visitation program that works with moms with children 0-5 who receive Medi-Cal. Comprehensive case management services are given to male and female patients.
- Fresno EOC Health Services offers other programs for specific areas. One program works with Fresno Unified School District freshmen and seniors. They also provide education in areas such as managing money, general education, employment and building resumes.
- COMMUNITY REPRESENTATIVE REPORTS FOR DECEMBER 2024** No reports at this time.
- FRESNO EOC COMMISSIONERS REPORT FOR OCTOBER 2024** Jimi Rodgers, EOC Commissioner, stated on September 16, 2024, the Board of Commissioners made Bylaw revisions. The term for commissioners was changed from 2 years to 3 years so that commissioners may receive more time to settle into their positions.
- Motion to approve the Fresno EOC Commissioners Report for October 2024 was made by Maylee Torres and seconded by Cynthia Espindola. Motion carried.
- MONTHLY FINANCIAL STATUS REPORTS FOR OCTOBER 2024** Jackeline Miranda, CWPC Treasurer, stated staff recommends approval of Head Start and Early Head Start’s Monthly Financial Status Report for October 2024.
- This report shows expenditures for the Head Start/ Early Head Start Program Basic and Trainings & Technical Assistance budgets for the month of October 2024 which also includes credit card expenses for the month of October 2024 as required by the Head Start Act of December 12, 2007, section 642 Powers and Functions of Head Start Agencies (d) Program Governance Administration, (2) Conduct of Responsibilities, (A) through (1) and (3) Training and Technical Assistance.
- This funding will support personnel and operating expenses totaling \$46,000,843 (\$37,620,149 - Head Start \$8,380,694 - Early Head Start), and the Non-Federal Share match is \$11,894,766 (\$9,515,812.80 - HS; \$2,378,953.20 - EHS) for the Fiscal year.

Motion to approve the Monthly Financial Status Reports (FSR) for the Month of October 2024 was made by Gloria Martinez and seconded by Meagan Esqueda Bonilla. Motion carried.

IN-KIND MONTHLY STATUS
REPORT FOR OCTOBER
2024

Jennifer Tillman, Finance Manager, informed the Representatives that the information provided is intended to keep the CWPC apprised of the Head Start 0 to 5 In-Kind Monthly Status report for the month of October 2024.

The monthly In-Kind Status Report for the month of October 2024 consists of \$452,432 (HS) which is accumulated by classroom and non-classroom volunteer services, consultants, goods, foster grandparents, PACT Time and space. Early Head Start's In-Kind Status Report is \$350,139 which is accumulated by classroom/non-classroom volunteer services, home activities, literacy/growing readers, consultants, goods and space.

The Fiscal Impact for Head Start 0 to 5 Non-Federal share should be \$11,894,766 annually. Year to Date for Head Start and Early Head Start from January to October 2024 In-Kind is \$9,427,620 (\$5,640,260 – HS; \$3,787,360 – EHS). This indicates that Head Start 0 to 5 has met 79 percent of the \$11,894,766 Non-Federal share goal and we surpassed our monthly goal.

Failing to reach our In-kind goal of \$11,894,766 annually for the 2024 fiscal year may affect funding. However, we have the ability to request a non-federal share waiver for the unmatched funds.

Ms. Rodgers asked what is the plan to increase In-Kind participation and meet our deficit.

Floro Trujillo, Family Engagement/Volunteer Services (FE/VS) Coordinator, replied that there was a budget revision so that if we do not meet the goal the budget will cover the deficit. His department is also communicating with Center/Teacher Directors to remind parents to submit In-Kind.

Mr. Alvarado Rebolledo reminded the CWPC to take the information back to their centers at their LPM meetings to educate other parents.

AVERAGE DAILY
ATTENDANCE (ADA)
REPORTS FOR OCTOBER
2024

Meagan Esqueda Bonilla, CWPC Early Head Start Representative, Informed Representatives of the Average Daily Attendance (ADA) Reports for the month of October 2024 for Head Start and Early Head Start. Head Start's monthly ADA for October 2024 for Center Base was 85.71%. Head Start Home Base visits completed were 304. Early Head Start's monthly ADA for October 2024 for Center Base was 89.56% Total Early Head Start Home Base visits completed were 1230.

Motion to approve the ADA Reports for the month of October 2024 was made by Gloria Martinez and seconded by Anna Fernandez. Motion carried.

HEAD START 0 TO 5
PROGRAM UPDATE REPORT
(PUR) FOR THE MONTH OF
OCTOBER 2024

Michael Balderas, Interim Head Start Director/Education Services Director, highlighted that the program completed a wage compensation study to compare wages and review the market value of positions in the area. Some employees received raises after review.

The budget revision was submitted on October 25, 2024.

Head Start 0 to 5 continues to recruit children and staff. The enrollment requirement for the program is 97% and we are currently at 81%. Mr. Balderas encouraged parents to recruit and spread the word about the program.

There will be a job fair held on January 18, 2025, from 9:00am – 1:00pm for Teachers, Teacher Assistants, and many other Head Start 0 to 5 positions.

Facilities Services is working diligently to get the Amor center completed for Community Care Licensing (CCL) approval.

Motion to approve the Head Start 0 to 5 PUR for the Month of October 2024 was made by Shiann Sandoval and seconded by Maylee Torres. Motion carried

COMMUNITY
REPRESENTATIVE
RECOMMENDATIONS FOR

Floro Trujillo, FE/VS Coordinator, stated at the beginning of the school year, the CWPC is provided with a list of local community partners by which they select who they would like to participate in the CWPC Meetings. The three community representative recommendations are WATCH D.O.G.S., Comprehensive Youth Services/Family Therapy, and Central Valley Regional Center (CVRC). With

THE 2024-2025 PROGRAM
YEAR RENEW PERIOD

the CWPC's approval, he will contact representatives, and their term reflects October 2024 – October 2025.

Mr. Alvarado Rebolledo stated WATCH D.O.G.S sends fathers/father figures to participate in classrooms and get involved in activities. Positive male role model representation for the children is important.

Comprehensive Youth Services/Family Therapy is a non-profit behavioral health agency that provides Mental Health services for teens, adolescents and families.

Karina Padilla, CVRC Representative, stated CVRC provide services and support for individuals with developmental disabilities. Services coordinators assist and work with families for various needs. The services are extended to families for their entire lifespan.

Motion to approve the Community Representative Recommendations for the 2024-2025 Program Year Renew Period was made by Emily Ramirez and seconded by Gloria Martinez. Motion carried

COUNTY-WIDE POLICY
COUNCIL APPOINTMENT OF
NEW SECRETARY

Floro Trujillo, FE/VS Coordinator, stated staff recommends the appointment of the CWPC Secretary for the 2024-2025 Program Year. In accordance with the CWPC Bylaws if the vacancy is an elected CWPC Executive Board member, the Chairperson will appoint a new officer. Mr. Alvarado Rebolledo appointed Adriana Cuevas as the CWPC Secretary.

Motion to approve the CWPC Appointment of New Secretary was made by Maylee Torres and seconded by Destiny Campos. Motion carried Jefferson.

HEAD START 0 TO 5
SELECTION CRITERIA

Olga Jalomo-Ramirez, Family/Community Services (F/CS) Manager, stated the Selection Criteria is the document F/CS uses to score and select children into the program. Last year the Head Start/Early Head Start documents were merged into one form, Head Start 0 to 5 Selection Criteria. The changes were made to reflect the Head Start Program Performance Standard (HSPPS) updates. There was a committee of parents and staff who participated and recommended the changes.

Motion to approve the Head Start 0 to 5 Selection Criteria was made by Gloria Martinez and seconded by Cynthia Espindola. Motion carried.

FULL ENROLLMENT
INITIATIVE UPDATES

Olga Jalomo Ramirez, Family/Community Services Manager, stated the recruitment data attached includes our recruitment efforts for the program term 2024-2025. With the approval of the Change of Scope, our total funded income is 2120 for Head Start 0 to 5. We have an enrollment of 1590 in Head Start Center Base and 100 in Head Start Home Base. We have a funded enrollment of 94 in Early Head Start Center Base and 336 in Early Head Start Home Base. The recruitment data attached includes our recruitment efforts up to November 7, 2024.

PERSONNEL COMMITTEE
REPORT FOR OCTOBER
2024

Aldo Alvarado, CWPC Chairperson, stated the Personnel Committee report consists of a list of: Hiring/Personnel Action Positions, Resignations/Separations, Promotion/Status Change, and Job Descriptions for Positions for the month. All promotions, transfers, separations, and new hires are to be presented to the CWPC monthly, as an informational item.

For the month of October 2024, there were 8 Hiring/Personnel Action Positions, 4 Promotions/Status Change, 9 resignations/separations and no updated job descriptions.

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL
SERVICES (CSDD) CCTR
2024-2025 REQUEST FOR
APPLICATION (RFA)

Lao Cha, ECE Coordinator, stated the CCTR refunding application was submitted November 2023 for the Amor Child Development Center (CDC) in Mendota, California. Currently, the Amor CDC Center is waiting for approval of the revised budget for approval of equipment and supplies for the center to be licensed.

CALIFORNIA STATE
PRESCHOOL PROGRAM
(CSPP) 2025-2026
CONTINUED FUNDING
APPLICATOIN

Lao Cha, ECE Coordinator, stated the program was notified by California Department of Education (CDE) that monies are available for existing CDE/EESD contractors to request continued funding for fiscal Year 2025-2026. Six CSPP classrooms are licensed by Community Care Licensing (CCL); Dakota Circle and Sequoia are full day/full year classrooms, and Cantua, Franklin and Wilsom are part day/part year classrooms.

The total amount of CSPP 2025-2026 Continued Funding Application is \$1,620,809.00 combined with Head Start funds will support personnel and operating expenses for these classrooms.

ANNOUNCEMENTS

Nicole Johnson, CWPC Historian, made the following Announcements:

- A. January 7, 2025 – Next County-Wide Policy Council Meeting at 6:00 pm – Dinner will be served at 5:30 pm
- B. January 9, 2025 – Center Based classes (3.5, 6.0 and CSPP 7.5-hour class) resume for Center Based and Home Based
- C. January 13, 2025 – (6.0 and CSPP 7.5-Hour class) resume for Center Based and Home Based

At this time Audrey Metcalf, FE/VS Specialist, stated January 9th information has been changed to January 15th

ADJOURNMENT

There being no further business to discuss, motion to adjourn the meeting was made by Maylee Torres and seconded by Jacqueline Avila. Motion carried.

The meeting adjourned at 7:07 p.m.

Submitted By:

Brionna Warren
Secretary I

(CWPC MINUTES DECEMBER 3 2024 FINAL) bw 12/20/24 ~ CWPC (2024-2025 (CWPC MINUTES)) ~

BOARD OF COMMISSIONERS MEETING

Date: January 27, 2025	Program: Head Start 0 to 5
Consent Agenda Item #: 10_13	Interim Director: Michael Balderas
Subject: Head Start 0 to 5 Program Update Report (PUR) for November 2024	Officer: Brian Angus

Recommended Action

The County-Wide Policy Council (CWPC) recommends for full Board acceptance of the Head Start 0 to 5 Program Update Report (PUR) for the month of November 2024 for full Board acceptance.

Background

As per mandate, Head Start agencies provide monthly updates to the Board and Policy council, written as required by the Head Start Act of December 12, 2007, Section 642 Powers and Functions of Head Start Agencies (d) Program Governance Administration, (2) Conduct of Responsibilities, (A) through (I). Below is a reference to the requirement.

(2) Conduct of Responsibilities – Each Head Start agency shall ensure the sharing of accurate and regular information for use by the governing body and policy council, about program planning, policies, and Head Start agency operations. . .

The report includes all areas mandated by the Head Start Act, not reported elsewhere: (B) monthly program activity summaries; (C) program enrollment reports; (D) monthly reports of meals and snacks provided through the U.S. Department of Agriculture; (H) communication and guidance from the Secretary of Health and Human Services.

The excluded information reported separately includes: (A) monthly financial reports including credit cards, (E) financial audit report, (F) annual Self-Assessment (G) community-wide strategic planning (Community Assessment) and the (I) Annual Program Information Report (PIR).

This item was presented and approved by CWPC on January 7, 2025

The November 2024 Program Update Report is included for reference.

Fiscal Impact

Action on this agenda item will have no fiscal impact.

Conclusion

If accepted by the full Board, the November 2024 PUR will be retained for record keeping to verify the County-Wide Policy Council and the Fresno EOC Board of Commissioners had timely and accurate information to ensure programmatic and fiduciary accountability of Fresno EOC Head Start 0 to 5. If not accepted, program staff will review and make recommended changes.

**COUNTY-WIDE POLICY COUNCIL
PROGRAM UPDATE REPORT
NOVEMBER 2024**

I. Head Start 0 to 5

Program Information Summary:

November 11, 2024- Veterans Day. All offices and sites were closed in observance.

November 12, 2024- Senior Management attended session of Empower leadership Institute by Dr. Suzana Veiss, PH

November 20, 2024- Triannual Review for Self-Assessment at Franklin Auditorium

November 28-29, 2024- Thanksgiving Holiday. All offices and sites were closed in observance.

II. Communication and Guidance from the United States Health and Human Services (HHS) Secretary:

On November 6, 2024, the Office of Head Start issued a Program Instruction in regard to the Final Rule to delay the effective date for increasing the CLASS Instructional Support Domain Competitive Threshold. The Administration for Children and Families (ACF) published a final rule in the Federal Register that delays the effective date for increasing the competitive threshold of the Classroom Assessment Scoring System (CLASS®) Instructional Support domain. The CLASS competitive threshold is one condition used to determine whether a Head Start agency will be subject to an open competition under the Designation Renewal System (DRS). The effective date in the Head Start Program Performance Standards (the Performance Standards) that raises the CLASS Instructional Support competitive threshold from 2.3 to 2.5 was August 1, 2025. This final rule officially delays the effective date to August 1, 2027.

III.

Early Head Start

Program Information Summary:

1. Early Head Start continues to recruit children and staff for the 24/25 program year. Recruitment Fair proposed with the date to be determined.
2. The Education Department is finishing set-up at the AMOR Center in Mendota, where the Program will serve eight Early Head Start Center Based toddlers. Are goal is to have it licensed in January.
3. Home-based staff attended the College & Career Job Fair in Orange Cove

Wait List Total: 127

Early Head Start Meals/Snacks:

Total Children: Breakfasts: 799 Lunches: 847 Snacks: 731

IV. Head Start

Program Information Summary:

1. Head Start continues to recruit children and staff for the 24/25 program year. Recruitment Fair proposed with the date to be determined.
2. Staff are continuing with their Mental Health/ Inclusion Trainings with Toribio Psychological Services. November 13th was a session on Child Mental Health and the Role of the Early Childhood Educator. Staff are encouraged to attend.

Wait List Total: 266

Head Start Meals/Snacks:

Total Children: Breakfasts: 11,562 Lunches: 12,587 Snacks: 11,248

Submitted by:

Michael Balderas
Interim Head Start Director

Misty Gattie-Blanco
Interim Assistant Head Start Director

BOARD OF COMMISSIONERS MEETING

Date: January 27, 2025	Program: Head Start 0 to 5
Consent Agenda Item #: 10_14	Interim Director: Michael Balderas
Subject: Head Start 0 to 5 County-Wide Policy Council Bylaws Revisions	Officer: Brian Angus

Recommended Action

The County-Wide Policy Council (CWPC) recommends review and approval for full Board consideration of the revised Head Start 0 to 5 CWPC Bylaws.

Background

On December 17, 2024, the CWPC Executive Board reviewed the Bylaws and recommend the following material revisions:

Article VI: Section 1: CWPC Executive Board. The Executive Board recommending eliminating monthly meetings. Instead, meetings will be held with the CWPC Chairperson to review and approve the agenda prior to the CWPC's monthly meetings.

The Executive Board will convene only when there are matters requiring the full attention of all members and during the summer months (June, July and August) when they act on behalf of the CWPC general body.

Article IX: Adoption of Bylaws has been updated to reflect the approval dates recommended.

This item was presented and approved by CWPC on January 7, 2025.

Fiscal Impact

Action on this agenda item will have no fiscal impact.

Conclusion

If approved by the Board, the CWPC Bylaws will become effective January 27, 2025. If not approved, the CWPC Bylaws will remain as is.

HEAD START 0 TO 5 COUNTY-WIDE POLICY COUNCIL BYLAWS

INTRODUCTION

Fresno Economic Opportunities Commission (EOC) Head Start 0 to 5 understands the unique role and responsibility of serving young children in the community and their families. Staff recognize that the family is the child's first teacher and are committed to enhancing the relationship between parents/guardians and the teacher/home base educator/caregiver.

Fresno EOC Head Start 0 to 5's goals are to strengthen parents as individuals and as partners, offering support and information to enable them to perform leadership functions in their families and for the program. The County-Wide Policy Council (CWPC) is an example of an opportunity offered to parents to contribute to their child's educational experience.

The Fresno EOC Board of Commissioners established the County-Wide Policy Council to ensure maximum parent participation in the decision-making process for all Head Start 0 to 5 Service Areas and activities.

ARTICLE I. NAME OF ORGANIZATION

The name of this organization shall be Fresno Economic Opportunities Commission Head Start 0 to 5 (comprised of Early Head Start (EHS)/ Head Start (HS), contractors and braided programs) County-Wide Policy Council (CWPC) herein referred to as County-Wide Policy Council.

ARTICLE II. PURPOSE

To act on behalf of the Head Start 0 to 5 children and their families in Fresno County, and to participate in the process of making decisions regarding program planning and operations about the Head Start 0 to 5 program.

ARTICLE III. MEMBERSHIP

Section 1. Membership

Membership shall be comprised of:

- A. Head Start 0 to 5 Parent Representatives, both center base and home base options, operating in Fresno County.
- B. Community Representatives shall be comprised of individuals from businesses, public or private community organizations, civic and professional organizations as well as those who are familiar with resources and services for low-income children and families; that may include former parents of previously enrolled children.
- C. Five Fresno EOC Board Commissioners and one of which serves as a liaison between the Fresno Economic Opportunities Commission Board and the County-Wide Policy Council

Section 2. Composition

Representatives must be parents or legal guardians of children currently enrolled in the Head Start 0 to 5 program. There shall be one (1) Fresno EOC Board Commissioner that serves as a liaison between the

Fresno EOC Board and the County-Wide Policy Council. Community Representatives are not to exceed a total of four (4). The Community Representatives are to be selected by the Executive Board and approved by the CWPC at the regular monthly meeting in November.

Section 3. Conflict of Interest

Members of the CWPC shall not have a conflict of interest with the Head Start 0 to 5 program.

Members of the CWPC shall not receive payment for serving on the CWPC or for providing services to the Head Start 0 to 5 program. Members of the CWPC may receive reimbursement for mileage, childcare, or technology.

No Representative or Alternate Representative shall be a paid employee or immediate family member of an employee of Head Start 0 to 5 program. Membership shall automatically terminate for any Representative who becomes a Head Start 0 to 5 employee.

Section 4. Membership Election Process

All Fresno EOC Head Start 0 to 5 Center Base sites and Home Base areas will hold Local Parent Meetings (LPM) during the month of September to elect one (1) Representative and one (1) Alternate to the CWPC. The following exception shall be made for centers with an enrollment of 100 or more children; they shall have a representation of two (2) Representatives.

Head Start 0 to 5 CWPC Representatives will be seated at the CWPC meeting in October. New Representatives will be accepted during the year as vacancies occur, per CWPC Bylaws Article III, Section VIII of these Bylaws.

At the CWPC meeting in October, elections will be held to fill the positions of the CWPC Executive Board, which shall be comprised of:

- A. Six (6) elected officers, standing committee chairpersons (Article IV, Section 1. Officers Responsibilities) and
- B. Two (2) elected officers or appointed Representatives from Early Head Start, (one (1) for Home Base and one (1) for Center Base).

In an effort to include equal representation from all Head Start 0 to 5 Center Base sites and all Home Base areas, the CWPC body will be assigned to a seven (7) Cluster System. Once an Executive Board officer position has been filled, no other Representative from that particular Cluster may be nominated or run for office.

CWPC Executive Board members will select the four (4) Community Representatives as referenced in Article III Section I and II of the CWPC Bylaws.

At the CWPC Meeting in November, the Representatives will approve the four (4) Community Representatives selected by the CWPC Executive Board.

Section 5. Term of Office

All Head Start 0 to 5 CWPC Representatives shall be seated at the October meeting and serve a term of one (1) year. In order to maximize opportunities for parent engagement in program governance, Representatives who have completed three (3) one-year terms (any 3 years combined) cannot serve on the CWPC in accordance with the Head Start Program Performance Standards 1301.3 d (3). Community Representatives shall be seated once elections have been conducted by the CWPC and they will serve a term of one (1) year from the date of election.

Section 6. Resignation

Any member of the Head Start 0 to 5 CWPC may resign by submitting a resignation, verbal or written, to the Chairperson and/or Head Start 0 to 5 personnel.

- A. A member who has resigned and held an Executive office and wants to be reinstated must provide a written notice to the CWPC Chair and Family Engagement/Volunteer Services Coordinator (FE/VSC) within ten (10) calendar days. It shall be the final decision of the Executive Board Committee whether the member be reinstated. If the member is reinstated, member is not reinstated to their former Executive position.

Section 7. Termination of Membership

A member may be removed by the Head Start 0 to 5 CWPC with cause by two-thirds (2/3) vote of the remaining members present and voting at any meeting of the CWPC that have a quorum.

Termination of a Representative's membership begins when a CWPC Representative initiates a motion based on the information below, seconded by another Representative, and voted into effect by a quorum of the membership.

Grounds for termination shall include but are not limited to:

- A. Inappropriate conduct while representing the CWPC.
- B. Representing personal interest over the welfare of children in the Head Start 0 to 5 program.
- C. Conduct which can be considered harassment or dangerous while representing the CWPC.
- D. Not following the process for open communication as designated by the grantee.
- E. Destruction or theft of property.
- F. Any derogatory comments electronically posted by non-employees (all CWPC Representatives and volunteers), on Fresno EOC's websites, video or wiki postings on sites such as Facebook and Twitter, chat rooms, personal blogs or other similar forms of online journals, diaries or personal newsletters not affiliated with Fresno EOC, and any violation of Volunteer Statement of Confidentiality, and Ethics that are deemed defamatory, obscene, proprietary or libelous.
- G. Breach of confidentiality.

Section 8. Representative Vacancy

As Representative vacancies occur, the Local Parent Meeting (LPM) will elect a new Representative for representation at the CWPC level.

Section 9. CWPC Executive Board Vacancy

Should the vacancy be an elected CWPC Executive Board member, the Chairperson will appoint a new officer. However, if the office of Chairperson becomes vacant, the Vice-Chairperson will be installed as the Chairperson to complete the unfinished term. The vacancy then arises in the office of Vice-Chairperson to which the new Chairperson will appoint a new Vice-Chairperson.

Section 10. Appointed Members

If a vacancy occurs in an appointed member's position (Committee Chairpersons) the CWPC Chairperson will appoint a new member and inform the general body in the following meeting.

Section 11. Duties and Responsibilities of Representatives

The CWPC shall actively participate in all Head Start 0 to 5 CWPC monthly and community meetings to which they volunteered to serve and must attend all Local Parent Meetings (LPM) to report all information gathered at CWPC.

The CWPC shall approve and submit to the governing body decisions about each of the following activities (taken from the Head Start Act, Section 642(c) (2) (D):

- A. Activities to support the active involvement of parents in supporting program operations, including policies to ensure that the Head Start 0 to 5 program is responsive to community and parent needs.
- B. Program recruitment, selection, and enrollment priorities.
- C. Applications for funding and amendments to applications for funding for programs under this subchapter, prior to submission of applications described in this clause.
- D. Budget planning for program expenditures, including policies for reimbursement and participation in CWPC activities.
- E. Bylaws for the operation of the CWPC.
- F. Program personnel policies and decisions regarding the employment of program staff, consistent with the Head Start Act, Governing Body 642 (1)(E)(iv)(IX), including standards of conduct for program staff, contractors, and volunteers and criteria for the employment and dismissal of program staff.
- G. Developing procedures for how members of the CWPC of the Head Start 0 to 5 program will be elected.
- H. Recommendations on the selection of delegate agencies and the service areas for such agencies.

Section 12. CWPC Voting

Only the Representative or their Alternates shall be voting members. Each CWPC Representative, Fresno EOC Board Representative, and Community Representative shall have one vote. The Chairperson shall vote in the case of a tie or as outlined in Article IV Section 1: Officers Responsibilities, Chairperson (A).

Section 13. Training and Orientation

The Program Administrative Staff shall provide governance training, committee training and Representative training to CWPC Representatives, Fresno EOC Board Representatives, and/or Community Representatives annually in accordance with Head Start Program Performance Standards.

Section 14. Reimbursement

Per Head Start Program Performance Standard 1303.3(e) Reimbursement, CWPC Representative will receive reimbursement for reasonable expenses. This amount is determined by the Head Start 0 to 5 Reimbursement Policies and Procedures.

- A. Reimbursement amounts will be provided for the following:
 - 1. CWPC (regularly scheduled, annual emergency and special meetings)
 - 2. Personnel Committee
 - 3. Parent Planning & Review Committee
 - 4. Budget & Finance Committee
 - 5. Eligibility Recruitment, Selection, Enrolment & Attendance (ERSEA) Committee.
 - 6. Health Services Advisory Committee.

ARTICLE IV. OFFICERS

Section 1: Officers Responsibilities

The Officers of the Head Start 0 to 5 CWPC shall be the Chairperson, Vice-Chairperson, Secretary, Treasurer, Sergeant-At-Arms, Historian and appointed or elected EHS Representatives which shall constitute the CWPC Executive Board.

Chairperson

- A. The Chairperson shall attend and preside at all regular ~~CWPC Executive Board and~~ CWPC meetings. The Chairperson shall be an ex-officio member of all committees. As an ex-officio member of all committees, the Chairperson may participate in all committees, but does not have voting rights. In the event all appointed Committee Members, Representatives or past-appointed Committee Members (who have a child enrolled in the current year) are not present, then the CWPC Chairperson will be given voting rights. The Chairperson shall have such other abilities and perform other duties as assigned by the Head Start 0 to 5 CWPC, as well as such abilities and duties, which may be incidental to the office of the Chairperson, subject to the control of the CWPC.
- B. The Chairperson shall have the ability to nominate and to appoint committees.
- C. The Chairperson shall participate in the development of the CWPC meeting agenda and provide final approval prior to scheduled meetings or any other special meetings.
- D. The Chairperson may attend the Fresno EOC Board meetings (generally every fourth Wednesday of every month).
- E. The Chairperson shall receive copies of all designated correspondence from the Health Human Services (HHS) Regional Office related to Head Start 0 to 5.

Vice-Chairperson

- A. The Vice-Chairperson shall attend and preside at meetings in the absence of the Chairperson and shall be responsible to conduct all the duties of the Chairperson.
- B. The Vice-Chairperson will attend all regular CWPC meetings, ~~CWPC Executive Board meetings,~~ and shall attend Fresno EOC Board meetings in the absence of Chairperson.

Secretary

- A. The Secretary shall attend all ~~CWPC Executive Board and~~ CWPC meetings.
- B. The Secretary will ensure minutes are taken at all regular CWPC Executive Board and CWPC meetings, special meetings and proceedings of the CWPC.
- C. The Secretary shall take roll call at ~~CWPC Executive Board and~~ CWPC meetings.

Treasurer

- A. The Treasurer shall attend all ~~CWPC Executive Board and~~ CWPC meetings.
- B. The Treasurer shall be responsible to communicate information regarding financial matters of the program and present the Financial Status Report at CWPC meetings.
- C. The Treasurer will assist staff in collecting reimbursement forms at the end of all ~~CWPC Executive Board~~ and CWPC meetings.

Sergeant-at-Arms

- A. The Sergeant-at-Arms shall attend all ~~CWPC Executive Board and~~ CWPC meetings.
- B. The Sergeant-at-Arms will assist in maintaining order at the ~~CWPC Executive Board and~~ CWPC meetings.
- C. The Sergeant-at-Arms will greet members as they arrive at the meetings.

Historian

- A. The Historian shall attend all ~~CWPC Executive Board and~~ CWPC meetings.
- B. The Historian shall report on past and current announcements of events of the agency. The material will allow parents or legal guardians in the program to familiarize themselves with historical and current events of the program.
- C. The Historian shall read the “Announcements” from the Head Start 0 to 5 CWPC packet. The Historian will also collect and read any additional announcements from the Representatives at the CWPC meeting.

Elected or Appointed Early Head Start (EHS) Representatives

- A. The elected/appointed EHS Representatives attend all ~~CWPC Executive Board and~~ CWPC meetings.
- B. The elected/appointed EHS Representatives greet members as they arrive at the meetings.
- C. An elected/appointed EHS Representative will present Average Daily Attendance (ADA) reports at CWPC meetings.

ARTICLE V. MEETINGS

Section I. Frequency of Meetings

The Head Start 0 to 5 CWPC shall meet monthly.

Section 2. Special Meetings

Special meetings of the Head Start 0 to 5 CWPC may be held at any time determined by the Chairperson or by a five-day written notice.

Section 3. Quorum

A quorum shall be constituted by 51% of the CWPC's membership.

The CWPC Executive Board shall act on behalf of the CWPC body in the summer months (June, July, and August) in the event there is no quorum of the general body.

Section 4. Telephonic or Electronic Meeting

Any Head Start 0 to 5 CWPC members may participate in a CWPC meeting or a special committee meeting of the Head Start 0 to 5 CWPC, as applicable. Participation can take place by telephone or by any other means of communication so long as all CWPC members who are participating in the meeting can hear all other CWPC members and can otherwise interact with such members. Such participation shall constitute presence in person at the meeting.

Section 5. Absentees

CWPC Executive Board or CWPC members are expected to attend each regularly scheduled meeting. Any member who is absent without a reasonable cause from two (2) consecutive or any three (3) ~~CWPC Executive Board or~~ CWPC meetings and no alternate is present shall surrender his/her seat as a CWPC Representative. The Family/Community Services Manager and Family Engagement/Volunteer Services Coordinator have the authority to determine the legitimacy of an excuse.

If a member cannot attend a meeting, notification must be made to the Family Engagement/Volunteer Services staff prior to 4:00 p.m. on the scheduled date of the meeting. If the absence was due to an emergency, a call must be placed to the Family Engagement/Volunteer Services staff within 48 hours after the scheduled CWPC meeting. A telephone call must be made in order to have the absence excused.

If any Representative misses more than two (2) consecutive meetings without reasonable cause, a Family Engagement/Volunteer Services staff member will contact the Representative regarding absences prior to termination of duty and new elections will be held within thirty (30) calendar days of notification to fill the vacant office.

- A. In the event that a vacancy of an elected officer of the Executive Board occurs during the months of June through September, the CWPC Chairperson will appoint a Representative for the remainder of the term.

ARTICLE VI. COMMITTEES

Section I. CWPC Executive Board

The CWPC Executive Board shall be comprised of six (6) elected officers, four (4) Standing Committee Chairpersons and two (2) EHS elected officers or if none elected, then two appointed Representatives. The CWPC Executive Board shall reflect the demographics of the children in the program.

- A. The CWPC ~~Chairperson~~~~Executive Board~~ shall meet prior to the CWPC's regular monthly meeting to prepare its Agenda generally the third (3rd) Tuesday of each month.
- B. The Executive Board shall act on interim matters which cannot wait until the next County-Wide Policy Council meeting.
- C. The CWPC Executive Board shall act on behalf of the CWPC body in the summer months (June, July, and August) in the event there is no quorum of the general body.
- D. The CWPC Executive Board shall perform such duties as assigned by the CWPC.

Section 2. Personnel Committee

- A. The Personnel Committee shall participate in the hiring process of Head Start 0 to 5 Staff according to Fresno EOC's personnel practices and procedures.
- B. The Personnel Committee shall be composed of five (5) members and at least three (3) alternates.
- C. The Chairperson of the CWPC shall participate in the interview and hiring of the following four positions: Chief Executive Officer, Chief Financial Officer, Head Start Director 0 to 5, and Chief Administrative Officer, and any other person in an equivalent position with the agency, as indicated on the Head Start Act Section 642 (c)(1)(E)(IX). In the absence of the Chairperson, the Personnel Committee Chairperson will represent the CWPC.
- D. All promotions, transfers, separations, and new hires will be presented as an Informational Item each month at the regular CWPC meeting.

Section 3. Parent Planning and Review Committee

- A. The Parent Planning and Review Committee shall meet to review School Readiness Goals and make recommendations in future parent trainings.
- B. This committee shall meet at least once during the program year.

Section 4. Budget and Finance Committee

- A. The Budget and Finance Committee shall meet to receive in-depth training on the annual budget to make recommendations to the Head Start 0 to 5 CWPC Executive Board.
- B. This committee shall meet at least once during the program year.

Section 5. Eligibility, Recruitment, Selection, Enrollment and Attendance (ERSEA) Committee

- A. The ERSEA Committee shall meet to give input on recruitment and eligibility priorities.
- B. This committee shall meet at least once during the program year.

Section 6. Special Committees

With the approval of the Head Start 0 to 5 CWPC Representatives, the Chairperson may establish special committees.

Section 7. Committee Make-Up

A maximum of five (5) Representatives with at least two (2) Alternates shall serve on each standing committee. Effort shall be made to include representation from Head Start 0 to 5 using the CWPC Election Cluster Chart.

ARTICLE VII. PARLIAMENTARY PROCEDURES

Section 1. Rules and Procedures

“Roberts Rules of Order, revised” shall be the guide of parliamentary procedure of this CWPC.

ARTICLE VIII. AMENDMENT OF BYLAWS

These Bylaws can be amended at any regular meeting of the Head Start 0 to 5 CWPC by a two-thirds vote if the amendment has been submitted in writing at the previous regular meeting. All amendments require Fresno EOC Board approval.

ARTICLE IX. ADOPTION OF BYLAWS

These Bylaws have been adopted by a majority vote of the Head Start 0 to 5 CWPC present on **April 9, 2024-January 7, 2025** and EOC Board of Commissioners on **April 15, 2024-January 27, 2025**.

Fresno EOC Head Start 0 to 5 CWPC Chairperson

Date

Fresno EOC Governing Board Chair

Date

For Fresno EOC Head Start 0 to 5 Use Only	
Revised and Approved by CWPC Personnel Committee/CWPC	Approved by Fresno EOC Board of Commissioners
[09/18/91] [10/10/95] [11/19/97] [8/15/01] [10/20/10] [12/18/13] [7/16/14] [10/21/15] [8/19/20] [8/2/22] [04/09/24] <u>[01/07/25]</u>	[9/25/91] [10/27/10] [9/24/14] [11/18/15] [9/30/20] [8/24/22] [4/15/24]

(HEAD START 0 TO 5 CWPC BYLAWS 2024-~~DRAFT 121924~~**FINAL APPROVED 041724**) REV. cq/bw **4/17/24** ~ BYLAWS (2024) ~

BOARD OF COMMISSIONERS MEETING

Date: January 27, 2025	Program: Head Start 0 to 5
Consent Agenda Item #: 10_15	Interim Director: Michael Balderas
Subject: Locally Designed Program Option	Officer: Brian Angus

Recommended Action

The County-Wide Policy Council (CWPC) recommends approval for full Board consideration of the revised Locally Designed Program Option (LDO) to be submitted to the Office of Head Start (OHS).

Background

Fresno EOC Head Start 0 to 5 has been encountering challenges with meeting full enrollment due to staff shortage and increased number of three-year-old children on the wait list due to expansion of Transitional Kindergarten and State Preschool classrooms in our local school districts. Therefore, we are seeking to increase our group size waiver through Locally Designed Program Option waiver for some classes in order to address our under-enrollment concerns. The proposal is aimed at helping the program achieve the Full Enrollment Initiative (FEI) Plan as we have exhausted our four-year-old eligible waitlist. We plan to convert four-year-old classes to predominantly three-year-old classes and serve a class size of 20 children to provide more preschool services to families in their respective communities.

The waiver is intended for 30 Head Start sites and 38 predominantly three-year-old classes. The waiver for three-year-olds is based on the community needs assessment, site capacity, waitlist, number of three-year-old online referrals, and three-year-old incomplete applications, as well as serving Early Head Start Transitions. According to the Community Assessment, there are a total of 30,381 three and four-year-old children in Fresno County and 13,979 are 3 years old. Currently we have 150 three-year-old children on the waitlist, 125 three-year-old online referrals and 112 three-year-old incomplete applications.

This Item was presented and approved by CWPC on January 7, 2025.

Fiscal Impact

This waiver is critical to increase enrollment to the required 97% minimum enrollment rate.

Conclusion

If approved by the Board, the LDO will be submitted to the OHS for approval. If not, Head Start 0 to 5 program will remain underenrolled.

BOARD OF COMMISSIONERS MEETING

Date: January 27, 2025	Program: Head Start 0 to 5
Consent Agenda Item #: 10_16	Interim Director: Michael Balderas
Subject: Maple Vista Head Start Pre-School Closure	Officer: Brian Angus

Recommended Action

The County-Wide Policy Council (CWPC) recommends approval for full Board consideration to terminate a Lease Agreement with Sierra Vista United Methodist Church for the Maple Vista Head Start Pre-School located at 4609 E. Illinois Ave, Fresno CA, 93702.

Background

As per mandate, Head Start agencies provide monthly updates to the Board and Policy council, written as required by the Head Start Act of December 12, 2007, Section 642 Powers and Functions of Head Start Agencies (d) Program Governance Administration, (2) Conduct of Responsibilities, (A) through (I). Below is a reference to the requirement.

(2) Conduct of Responsibilities – Each Head Start agency shall ensure the sharing of accurate and regular information for use by the governing body and policy council, about program planning, policies, and Head Start agency operations. . .

Beginning on August 22, 2024, the Maple Vista Head Start Pre-School began experiencing multiple break-ins resulting in theft and damage to agency equipment, classrooms, and buildings. Theft and damage included stolen appliances, broken windows, damage to heating and cooling units, and stolen and damaged plumbing fixtures (i.e. sinks, toilets, and water heaters) which resulted in water damage to floors and walls, and electrical damage. Due to the damage, the Center became unsafe for children who were then transported to the Franklin Head Start site. Due to the continued break-ins and unsafe environment, all agency contents were removed from this site on September 27, 2024.

On November 25, 2024, staff discussed the damage and site conditions with the property owner, and it was mutually agreed to terminate the Lease Agreement.

This item was presented and approved by CWPC on January 7, 2025.

Fiscal Impact

The property lease is for facility and grounds only with no financial commitment from Fresno EOC. The closure of the site will result in approximately \$2,000 in savings for utilities and landscaping through the end of the lease agreement.



Conclusion

If approved, the lease termination will be executed. If not approved, Fresno EOC will discuss the next steps in termination of the current lease.

TERMINATION OF LEASE

THIS TERMINATION OF LEASE (this “**Agreement**”) is dated and made effective as of December 1, 2024 (the “**Effective Date**”), by and between SIERRA VISTA UNITED METHODIST CHURCH (“**Lessor**”), and FRESNO ECONOMIC OPPORTUNITIES COMMISSION, a California nonprofit benefit corporation (“**Lessee**”).

R E C I T A L S:

A. Lessor and Lessee previously entered into that certain Lease Agreement executed on November 20, 2008, which commenced on November 1, 2008 (the “**original Lease**” – Exhibit A), and amended on March 12, 2015, June 29, 2018, and October 1, 2020 (known as “**Amendments to Lease**” – Exhibit B), pursuant to which Lessee leased that certain property specifically located at 4609 Illinois, Fresno, California (the “**Premises**”).

B. Lessor and Lessee now desire to terminate the Lease on the terms set forth herein.

NOW, THEREFORE, for good and valuable consideration, including mutual benefits hereinafter provided, Lessor and Lessee agree as follows:

1. Lease Termination; Surrender of Premises. The parties hereby mutually and unconditionally terminate and cancel the Lease, and the same will be of no further force and effect by and between the parties hereto, their heirs, successors, personal representatives, and/or assigns as of the Effective Date. All Lessee’s rights of possession, control and occupancy of the Premises are hereby unconditionally and absolutely transferred to Lessor (and its permitted heirs, successors, transferees and assigns).

2. Authority. Each party represents and warrants to the other that it has the full right, ability, and power to enter into this Agreement and each party will indemnify and hold harmless the other from and against all liability, losses, costs, damages, claims, expenses, and attorneys’ fees of any kind as a consequence or result of a breach by the party of the representation and warranty contained in this paragraph.

3. Binding Effect and Inurement. This Agreement shall be binding upon and inure to the benefit of the heirs, executors, administrators, assigns and successors of the parties hereto.

4. Counterparts. This Agreement may be executed in counterparts, each of which, when so executed, shall be deemed to be an original and to constitute the one and same instrument.

5. Authorization. The undersigned, by their signatures, represent and warrant that they are authorized agents of their respective entities and are authorized to execute this Agreement.

6. Governing Law. This Agreement is governed and construed in accordance with California law.

7. Attorney Fees. If any legal action is taken to enforce the terms of this Agreement by any party, the prevailing party shall be entitled to recover reasonable attorney's fees and other costs and expenses incurred in connection with that legal action.

8. Entire Agreement. This Agreement and the documents which are incorporated herein or which relate to this Agreement, contains the entire agreement between the parties regarding the matters covered in this Agreement. There have been no other statements, promises, or representations made by the parties that are intended to alter, modify, or complement this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the Effective Date.

“Lessor”

SIERRA UNITED METHODIST CHURCH

Signature: _____

Name: _____

Title: _____

“Lessee”

FRESNO COUNTY ECONOMIC
OPPORTUNITIES COMMISSION, a
California nonprofit public benefit corporation

Signature: _____

Name: _____

Title: _____

BOARD OF COMMISSIONERS MEETING

Date: January 27, 2025	Program: Head Start 0 to 5
Consent Agenda Item #: 10_17	Interim Director: Michael Balderas
Subject: Head Start 1303 Project Applications	Officer: Brian Angus

Recommended Action

The County-Wide Policy Council (CWPC) recommends approval for full Board consideration to submit three 1303 project applications to the Office of Head Start (OHS).

Background

As per mandate, Head Start agencies provide monthly updates to the Board and Policy Council, written as required by the Head Start Act of December 12, 2007, Section 642 Powers and Functions of Head Start Agencies (d) Program Governance Administration, (2) Conduct of Responsibilities, (A) through (I). Below is a reference to the requirement.

(2) Conduct of Responsibilities – Each Head Start agency shall ensure the sharing of accurate and regular information for use by the governing body and policy council, about program planning, policies, and Head Start agency operations. . .

Attachment 1 includes a list of three project sites to replace an existing modular building in Huron and to open new sites in Mendota and West Fresno (LCC/Ivy).

This item was presented and approved by CWPC on January 7, 2025.

Fiscal Impact

The funds to acquire these locations have been included in the 2024 carryover budget and will vary on price per property.

Conclusion

If approved by the Board, we will submit three 1303 project applications to OHS for final approval. If not approved, the program will reevaluate and resubmit new facility plans for consideration.

1303's - Requesting Approval										
<i>Site Name</i>	<i>Location</i>	<i>Parcel No.</i>	<i>Areas</i>	<i>Program(s)</i>	<i>Land Type</i>	<i>Construction Type</i>	<i>Estimated Budget</i>	<i>Calculations</i>	<i>Budgeted Amount</i>	<i>Funding Budgets</i>
Huron HS (Existing Site) Huron Unified School District	16641 Palmer St. Huron, CA 93234	075-091-01ST	Huron	Head Start	Lease	Modular (48'x 60') Two (2) Classrooms	\$ 1,100,000	\$ 1,100,000.00	\$ 1,060,703	Basic Grant 2022 (\$1.02 mil) Carryover 2023 #1 (\$36k)
Mendota HS (New Site) Fresno Housing Authority	Smoot Street Property Mendota, CA 93640. APN# 012-190-71S	012-190-71S	Mendota	Head Start & Early HS	Lease	Two (2) Modulares (48'x 60') Two (2) HS Classrooms Two (2) EHS Classrooms	\$ 1,968,000	\$ 1,968,000.00	\$ 1,979,600	Basic Grant 2022 (\$1.98 mil) Carryover 2023 #1 (\$36k)
Ivy HS/ EOC LCC (New Site)	1805 E. California Ave. Fresno, CA 93706	478-085-12 467-142-13	Ivy HS	Head Start	Owned	Modular (48'x 60') Two (2) Classrooms	\$ 1,026,000	\$ 1,026,000.00	\$ 1,025,000	Basic Grant 2022 (\$1.03 mil) Carryover 2023 #1 (\$36k)
Total							\$ 4,094,000	\$ 4,094,000	\$ 4,065,303	

BOARD OF COMMISSIONERS MEETING

Date: January 27, 2025	Program: Program Planning & Development
Consent Agenda Item #: 10_18	Director: Ana Medina
Subject: Grant Tracker	Officer: Michelle Tutunjian

Recommended Action

The information presented in the Grant Tracker is intended to keep the Board apprised of program grant activity.

Background

The below information are updates from the last grant tracker presented on December 16, 2024.

Submitted					
Program	Name	Funder	Amount Requested	Summary	Date Submitted
Agency Wide - Information Technology (IT)	CASF Broadband Adoption Account Grant-Digital Literacy	CA Public Utilities Commission	\$150,000	This grant will provide funding to provide Digital Literacy classes in rural communities, which include Mendota, Huron, Orange Cove, Sanger, San Joaquin and Parlier.	1/1/2025
Health Services-Community Health Clinic	Community Supports Provider Certification Tool Application	CaAIM + Healthnet + Anthem	TBD	Application to become a Healthnet Community Supports provider offering Medically Tailored Meals (MTM), Housing Tenancy and Sustaining Services, and	12/23/2024

				Housing Transition Navigation Community Supports.	
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Awarded					
Program	Name	Funder	Amount Awarded	Summary	Date Awarded
Foster Grandparent - Senior Tech Program	CA Advanced Services Fund (CASF) Adoption Account - Digital Literacy	CA Public Utilities Commission	\$1,168,652	Funds will allow the Senior Tech Program to continue for two more years, serving approximately 2,500 seniors.	1/16/2025
Food Services - Food Distribution Program	Bob CareBob's Discount Furniture	Smart & Final Charitable Foundation	\$2,500	Funds will support the Food Distribution Program.	1/7/2025
Agency Wide - Navigation Center & Planning	Brownfields Planning Grant Community Engagement	City of Fresno	\$29,000	Fresno EOC will conduct outreach on behalf of the City of Fresno to gain community and stakeholder support and input for addressing brownfields issues in SW Fresno.	1/16/2025

Not Awarded					
Program	Name	Funder	Amount Requested	Summary	Not Awarded Reason
Sanctuary and Support Services - Homeless Services	Eviction Protection Grant Program FR-6800-N-79	U.S. Department of Housing and Urban Development	\$224,500	Fresno EOC is a community partner with CCLS to provide no cost legal assistance to low-income tenants at risk of or subject to eviction.	Not Available

Fresno County Economic Opportunities Commission
Grant Tracker
Monday, January 27, 2025

2025 AWARDED								
Due Date	Program	Name	Funder	Amount Requested	Summary	Board Report Date	Date of Notice	Amount Awarded
6/28/2024	Foster Grandparent - Senior Tech Program	CA Advanced Services Fund (CASF) Adoption Account - Digital Literacy	CA Public Utilities Commission	\$1,168,652	Funds will allow the Senior Tech Program to continue for two more years, serving approximately 2,500 seniors.	10/7/2024	1/16/2025	\$1,168,652
12/24/2024	Food Services - Food Distribution Program	Bob CareBob's Discount Furniture	Smart & Final Charitable Foundation	\$2,500	Funds will support the Food Distribution Program.	N/A	1/7/2025	\$3,500
5/31/2024	Agency Wide - Navigation Center & Planning	Brownfields Planning Grant Community Engagement	City of Fresno	\$29,000	Fresno EOC will conduct outreach on behalf of the City of Fresno to gain community and stakeholder support and input for addressing brownfields issues in SW Fresno.	N/A	1/16/2025	\$29,000
Total Amount Requested				\$1,200,152		Total Amount Awarded		\$1,201,152

2025 NOT AWARDED							
Due Date	Program	Name	Funder	Amount Requested	Summary	Board Report Date	Date of Notice
8/20/2024	Sanctuary and Support Services - Homeless Services	Eviction Protection Grant Program FR-6800-N-79	U.S. Department of Housing and Urban Development	\$224,500	Fresno EOC is a community partner with CCLS to provide no cost legal assistance to low-income tenants at risk of or subject to eviction.	N/A	1/9/2025
Total Amount Requested				\$224,500.12			

IN PROGRESS GRANTS							
Due Date	Program	Name	Funder	Amount Requested	Summary	Board Report Date	Date of Notice
1/24/2025	Sanctuary & Support Services - CVAHT	Flexible Assistance for Survivors (FA) Pilot Grant Program	Cal OES	\$250,000	Improve safety, healing, and financial stability for victim/survivors of crime and their family members through direct cash/financial assistance.	1/27/2025	TBD
2/14/2025	Health Services - Community Health Center	Enhanced Care Management (ECM) Provider Certification Application	CalAIM - Anthem/HealthNet	TBD	Enhanced Care Management (ECM) is a statewide Medi-Cal benefit that provides person-centered, community-based management to the highest need members.	TBD	TBD
3/7/2025	Health Services - Community Health Center	PATH CITED Round 4	CA Department of Health Care Services (DHCS)	TBD	The PATH CITED initiative provides funding to build the capacity and infrastructure of on the ground partners, including community based organizations, hospitals, county agencies, Tribes, and others, to successfully participate in Medi-Cal system. The initiative enables the transition, expansion, and development of Enhanced Care Management (ECM) and Community Supports capacity and infrastructure.	TBD	TBD

1/27/2025	Sanctuary & Support Services - CVAHT	Human Trafficking Victim Assistance Program	Cal OES	\$566,666	The purpose of the program is to provide comprehensive safety and supportive services to all survivors of human trafficking by enhancing access to essential direct services.	1/27/2025	TBD
Total Amount Requested				\$816,666			

SUBMITTED GRANTS

Due Date	Program	Name	Funder	Amount Requested	Summary	Board Report Date	Date of Notice
1/1/2025	Agency Wide - Information Technology (IT)	CASF Broadband Adoption Account Grant-Digital Literacy	CA Public Utilities Commission	\$150,000	This grant will provide funding to provide Digital Literacy classes in rural communities, which include Mendota, Huron, Orange Cove, Sanger, San Joaquin and Parlier.	1/27/2025	TBD
12/23/2024	Health Services-Community Health Clinic	Community Supports Provider Certification Tool Application	CalAIM + Healthnet + Anthem	TBD	Application to become a Healthnet Community Supports provider offering Medically Tailored Meals (MTM), Housing Tenancy and Sustaining Services, and Housing Transition Navigation Community Supports.	TBD	TBD
11/8/2024	Health Services - Community Health Center	Ending California's Tobacco Epidemic In Every Community RFA 24-10095	California Department of Public Health	\$900,000	Tobacco prevention for a period of 36 months to accelerate momentum toward ending California's tobacco epidemic through policy, system, and environmental change strategies by increasing community engagement within populations that have been disproportionately targeted by the tobacco industry.	N/A	TBD
11/4/2024	Health Services - Tobacco Education Program	Community Outreach, Engagement, Education and/or Climate Resilience Service	City of Fresno	\$400,000	The city is interested in partnering with a diverse range of organizations on this project. The services to be performed by the subgrantee(s) include community outreach,	N/A	TBD
10/2/2024	Health Services	HRSA-25-085 New Access Points Department of Health and Human Services Health Resources and Services Administration	Department of Health and Human Services, Health Resources and Services Administration (HRSA)	\$650,000	To support new health center service delivery sites to expand affordable, accessible, and high-quality primary health care for underserved communities and Populations.	N/A	11/20/2024
9/11/2024	Transit Systems	DOT - Charging and Fueling Infrastructure Discretionary Grant Program	U.S. Department of Transportation (DOT), Federal Highway Administration (FHWA).	\$13,383,046	To expand or fill gaps in access to publicly accessible EV charging infrastructure, or hydrogen, propane, or natural gas fueling infrastructure.	N/A	TBD
9/10/2024	Transit Systems	EnergIIZE EV Jump Start Year 3	EnergIIZE Commercial Vehicles (California Energy Commission)	\$750,000	Funding for commercial fleets, site owners, or others who seek to deploy charging infrastructure for Medium-Duty and Heavy-Duty (MDHD) electric vehicles (EVs).	N/A	TBD
7/26/2024	Sanctuary and Support Services - Homeless Services	City of Fresno Homeless Youth Services	City of Fresno	\$2,134,500	Funding will support Bridge Housing to young adults.	8/5/2024	TBD

6/3/2024	EOC Other	ICARP Adaptation Planning Grant Program	County of Fresno	\$50,000	Fresno EOC will be a County of Fresno sub-awardee providing outreach and facilitating community input on climate resiliency needs and strategies.	N/A	TBD
2/27/2024	Training and Employment - Valley Apprenticeship Connections (VAC)	Career Skills Training	Department of Energy	\$536,626	Funding for job training to gain industry-recognized certifications in energy efficiency sector.	1/22/2024	5/20/2024
Total Amount Requested				\$18,954,172			

LETTERS OF INTENT SUBMITTED							
Due Date	Program	Name	Funder	Amount Requested	Summary	Board Report Date	Date of Notice
1/9/2025	Sanctuary & Support Services	California Endowment Letter of Intent	California Endowment	TBD	Funding will support case management, mental health services, and educational outreach for the LGBTQ+ Resource Center.	N/A	TBD
11/20/2024	Advance Peace	CDC (RO1) Research Grants to Rigorously Evaluate Innovative and Promising Strategies to Prevent Firearm Related Violence and Injuries	CDC	\$50,000	In partnership with MPHI and UC Berkley, funding will be used to demonstrate the effectiveness of the Advance Peace strategy, using a casual research design examining the relationship between stipend reinforcements and long term behavior changes.	N/A	TBD
7/15/2024	EOC Other	BID OPPORTUNITY - Community Outreach and Education Services Master Service Agreement (MSA)	State of California, Department of General Services Procurement Division (DGS-PD)	\$0	CBO specific Master Service Agreements (MSAs) for Community Outreach and Education Services.	N/A	TBD
Total Amount Requested				\$50,000			

BOARD OF COMMISSIONERS MEETING

Date: January 27, 2025	Program: Finance
Agenda Item #: 12	Director: Angela Riofrio
Subject: Agency Financial and Head Start Financial Status Report October 2024	Officer: Salam Nalia

Recommended Action

Staff recommends approval of the interim consolidated Agency Financial Statements as of October 31, 2024, and Head Start 0 to 5.

CSBG Organizational Standard

The governing board receives financial reports at each regular meeting that include the following per Category 8, Standard 8.7:

1. Organization-wide report on revenue and expenditures that compares budget to actual, categorized by program; and
2. Balance sheet/statement of financial position.

Background

In accordance with the Agency’s bylaws, this item is intended to keep commissioners apprised of the agency’s financial situation as October 31, 2024, (83% of the year) and to provide an opportunity to discuss and review financial statements for each meeting of the Board of Commissioners. Enclosed are the monthly financials for Fresno EOC (consolidated) and Head Start for review and approval.

Fiscal Impact

(A) Agency Statement of Activities and Statement of Financial Position:

The following are key points of the attached financials for context.

Revenues: \$140,141,018 (78% recorded)

- In-kind Contributions \$42,586,129 (92% recorded) – Majority of the contributions are the Head Start 0 to 5 parents volunteering in the classroom.
- Donation revenue stands at \$62,013, representing 84% of the anticipated total.

Expenditures: \$144,350,137 (79% of budget expensed)

The total net difference between revenues and expenditures is approximately \$(4,209,119) deficit of the year-to-date budget.

Programs and Administration continue to implement strategies to merge and share cost such as staff and overhead. Also, a hiring freeze has been implemented for Administration.

Both the Finance and Program teams are actively working together to identify any potential cost savings and generate any potential funding.

(B) Head Start 0-5 Financial Status Report as of Year-to-Date October 31, 2024

This is also represented in the following percentages.

Program Area	% of budget	Notes
Head Start - Basic	78%	
Head Start - Training & Technical Assistance (T&TA)	65%	Training planned for later this year.

Program Area	% of budget	Notes
Early Head Start - Basic	60%	
Early Head Start - Training & Technical Assistance (T&TA)	43%	Training planned for later this year.

Conclusion

Acceptance of these financials by the Board documents the Board's oversight over the financial operations of Fresno EOC. This is part of the Board's fiduciary duty.

**FRESNO ECONOMIC OPPORTUNITIES COMMISSION
STATEMENT OF ACTIVITIES
as of October 31, 2024 (83% Variance)**

	A	B	A - B
	BUDGET JAN - DEC 2024	ACTUAL October 2024	BUDGET VARIANCE (TARGET 83%) BUDGET BALANCE REMAINING
REVENUES AND SUPPORT			
GRANT REVENUE	\$ 101,971,061	\$ 72,337,768	71%
FEE FOR SERVICE REVENUE	28,362,803	22,040,819	78%
OTHER REVENUE	3,782,608	3,114,288	82%
DONATION CONTRIBUTIONS	73,562	62,013	84%
TOTAL CASH REVENUE	\$ 134,190,033	\$ 97,554,889	73%
IN KIND REVENUE	\$ 46,201,096	\$ 42,586,129	92%
TOTAL REVENUE & SUPPORT	180,391,129	140,141,018	78%
EXPENDITURES			
PERSONNEL COSTS	\$ 81,933,023	\$ 62,515,767	76%
ADMIN SERVICES	9,403,111	6,469,693	69%
CONTRACT SERVICES	14,455,669	9,951,461	69%
FACILITY COSTS	5,466,499	5,829,490	107%
TRAVEL, MILEAGE, VEHICLE COSTS	3,253,382	2,961,101	91%
EQUIPMENT COSTS	5,708,457	1,506,047	26%
DEPRECIATION - AGENCY FUNDED	296,000	237,342	80%
OFFICE EXPENSE	4,815,894	2,994,430	62%
INSURANCE	1,283,085	896,848	70%
PROGRAM SUPPLIES & CLIENT COSTS	8,815,262	7,789,229	88%
OTHER COSTS	470,466	612,600	130%
TOTAL CASH EXPENDITURES	\$ 135,900,847	\$ 101,764,008	75%
IN KIND EXPENSES	\$ 46,201,096	\$ 42,586,129	92%
TOTAL EXPENDITURES	182,101,943	144,350,137	79%
OPERATING SURPLUS (DEFICIT)	\$ (1,710,814)	\$ (4,209,119)	
OTHER INCOME / EXPENSE			
TRANSIT GRANT ASSET DEPRECIATION		149,527	(149,527)
NET SURPLUS (DEFICIT)	\$ (1,710,814)	(\$4,358,646)	2,647,832

FRESNO ECONOMIC OPPORTUNITIES COMMISSION
STATEMENT OF FINANCIAL POSITION
As of October 31, 2024

	2024	2023	Differences
ASSETS			
CASH & INVESTMENTS	\$ 3,674,201	\$ 5,906,616	\$ (2,232,415)
ACCOUNTS RECEIVABLE	12,375,633	16,695,797	(4,320,164)
PREPAIDS/DEPOSITS	539,992	383,308	156,684
INVENTORIES	215,944	269,776	(53,832)
PROPERTY, PLANT & EQUIPMENT	12,694,865	13,666,362	(971,496)
NOTES RECEIVABLE (net)	(16,560)	334,523	(351,083)
TOTAL ASSETS	\$ 29,484,074	\$ 37,256,381	\$ (7,772,307)
LIABILITIES			
ACCOUNTS PAYABLE	\$ 4,603,611	\$ 5,599,348	\$ (995,737)
ACCRUED PAYROLL LIABILITIES	6,329,193	5,613,450	715,743
DEFERRED REVENUE	4,004,014	3,251,915	752,099
NOTES PAYABLE	787,193	2,874,027	(2,086,834)
HEALTH INSURANCE RESERVE	6,759,843	6,993,864	(234,021)
OTHER LIABILITIES	1,005,026	1,103,980	(98,954)
TOTAL LIABILITIES	\$ 23,488,880	\$ 25,436,585	\$ (1,947,705)
FUND BALANCE			
CURRENT OPERATING EARNINGS (YTD)	\$ (4,209,119)	\$ (1,874,648)	\$ (2,334,471)
UNRESTRICTED NET ASSETS	150,889	2,673,073	(2,522,184)
REVOLVING LOAN FUND	556,268	556,268	0
INVESTMENT IN GENERAL FIXED ASSETS	9,497,156	10,465,102	(967,946)
TOTAL FUND BALANCE	\$ 5,995,195	\$ 11,819,795	\$ (5,824,601)
TOTAL LIABILITIES AND FUND BALANCE	\$ 29,484,075	\$ 37,256,381	\$ (7,772,306)

Fresno Economic Opportunities Commission
 Head Start/Early Head Start Financial Status
 Monthly Report
 October 31, 2024

Description	Head Start - Basic				Head Start - T & TA			
	Annual Budget	Current Expenses	YTD Expenses	Balance Remaining	Annual Budget	Current Expenses	YTD Expenses	Balance Remaining
Personnel	\$20,210,662	\$1,783,032	\$14,905,136	\$5,305,526	\$0	\$0	\$0	\$0
Fringe Benefits	8,468,009	\$562,738	\$5,296,207	3,171,802	-	-	-	-
Total Personnel	\$28,678,671	\$2,345,770	\$20,201,343	\$8,477,328	\$0	\$0	\$0	\$0
Travel	-	-	-	-	50,644	206	48,444	2,200
Equipment	-	-	-	-	-	-	-	-
Supplies	665,867	162,108	674,862	(8,995)	14,706	214	850	13,856
Contractual	2,929,424	119,521	2,554,721	374,703	-	-	-	-
Facilities /Construction								
Other:								
Food Cost	555,870	118,722	626,962	(71,092)				
Transportation	200,000	60,547	487,588	(287,588)				
Staff Mileage	85,871	16,308	122,737	(36,866)				
Field Trips, including Transportation	6,600	4,996	8,564	(1,964)				
Space	642,495	53,442	456,656	185,839				
Utilities / Telephone / Internet	130,000	121,938	643,916	(513,916)				
Repair/Maintenance Building	245,600	26,214	221,623	23,977				
Repair/Maintenance Equipment	1,707	51,312	105,367	(103,660)				
Property & Liability Insurance	180,750	19,478	209,917	(29,167)				
Parent Involvement / CWPC	32,377	3,277	23,108	9,269				
Other Costs*	140,422	25,719	163,435	(23,013)				
Staff & Parent Training	18,244	1,057	6,429	11,815	231,739	18,918	140,754	90,985
Total Direct Charges	\$34,513,898	\$3,130,408	\$26,507,227	\$8,006,671	297,089	\$19,338	190,048	107,041
Total Indirect Charges	\$3,106,251	\$313,041	\$2,650,723	\$455,528	\$26,738	\$1,934	\$19,005	\$7,733
Total Federal Expenditures	\$37,620,149	\$3,443,449	\$29,157,950	\$8,462,199	\$323,827	21,272	209,053	\$114,774
% of Annual Budget Expended to Date			78%				65%	
Non-Federal Share	\$8,622,143	\$619,978	\$5,645,760	\$2,976,383	\$64,765	\$5,318	\$52,263	\$12,502

*Other Costs Include:
 PROPERTY TAXES
 DEPRECIATION EXPENSE
 SUBSCRIPTION EXPENSE
 ADVERTISEMENT - OTHER
 DUES - ORGANIZATIONS
 RECRUITMENT
 MEETING COSTS - INTERNAL
 EMPLOYEE APPRECIATION
 OUTREACH
 EMPLOYEE EVENT
 SAFETY
 CONTRACT SERVICES - PHYSICALS
 FIRST AID (INCLUDES WORKERS COMP)
 FINGERPRINTING / BACKGROUND CHECK
 POSTAGE/EXPRESS MAIL
 PRINTING

Credit Card Expenses: Credit card statement dated 10/1/24-10/31/24	
October 2024 expenses:	
Training - Other	\$ 263
CWPC Other	\$ 1,118
Program Supplies - Kitchen	\$ 11,188
Nutrition Education	\$ 389
License- Premise	\$ 936
Program Supplies - Kitchen	\$ 82
Printing	\$ 2,814
CWPC Other	\$ 324
Staff Training	\$ 960
Field Trips	\$ 998
Program Supplies - Kitchen	\$ 54
Program Supplies - Disposables	\$ 694
Program Supplies - Medically Prescribe	\$ 360
Telephone	\$ 2,081
Internet	\$ 370
	\$ 22,631

Fresno Economic Opportunities Commission
 Head Start/Early Head Start Financial Status
 Monthly Report
 October 31, 2024

Description	Early Head Start - Basic				Early Head Start - T & TA			
	Annual Budget	Current Expenses	YTD Expenses	Balance Remaining	Annual Budget	Current Expenses	YTD Expenses	Balance Remaining
Personnel	\$5,065,542	\$362,072	\$2,899,034	\$2,166,508	\$0	\$0	\$0	\$0
Fringe Benefits	1,345,661	\$95,796	\$803,019	542,642	-	-	\$0	-
Total Personnel	6,411,203	\$457,869	\$3,702,053	\$2,709,150	\$0	\$0	\$0	\$0
Travel	-	-	-	-	44,821	51	15,773	29,048
Equipment	-	72,551	72,551	(72,551)	-	-	-	-
Supplies	102,544	26,604	138,761	(36,217)	1,289	54	54	1,235
Contractual	277,288	18,562	251,208	26,080	11,526	-	52	11,474
Facilities /Construction								
Other:								
Food Cost	378,940	8,478	20,692	358,248				
Transportation	56,097	484	6,636	49,461				
Staff Mileage	34,129	8,234	51,579	(17,450)				
Field Trips, including Transportation	1,000	-	-	1,000				
Space	48,360	10,449	94,912	(46,552)				
Utilities / Telephone / Internet	140,000	17,442	140,291	(291)				
Repair/Maintenance Building	96,087	3,550	27,442	68,645				
Repair/Maintenance Equipment	3,983	12,574	25,217	(21,234)				
Property & Liability Insurance	60,250	2,667	24,084	36,166				
Parent Involvement / CWPC	33,268	1,199	6,399	26,869				
Other Costs*	35,081	3,830	27,269	7,812				
Staff & Parent Training	10,480	264	1,096	9,384	101,420	6,546	52,571	48,849
Total Direct Charges	7,688,710	\$644,757	\$4,590,189	3,098,521	159,056	6,651	68,450	\$90,606
Total Indirect Charges	\$691,984	\$57,221	\$451,764	\$240,220	\$14,315	\$665	\$6,845	\$7,470
Total Federal Expenditures	\$8,380,694	701,978	\$5,041,953	\$3,338,741	\$173,371	7,316	\$75,295	\$98,076
% of Annual Budget Expended to Date			60%				43%	
Non-Federal Share	\$2,103,842	\$451,916	\$4,052,936	-\$1,949,094	\$34,674	\$1,829	\$18,824	\$24,519

193%

*Other Costs Include:

- PROPERTY TAXES
- DEPRECIATION EXPENSE
- SUBSCRIPTION EXPENSE
- ADVERTISEMENT - OTHER
- DUES - ORGANIZATIONS
- RECRUITMENT
- MEETING COSTS - INTERNAL
- EMPLOYEE APPRECIATION
- OUTREACH
- EMPLOYEE EVENT
- SAFETY
- CONTRACT SERVICES - PHYSICALS
- FIRST AID (INCLUDES WORKERS COMP)
- FINGERPRINTING / BACKGROUND CHECK
- POSTAGE/EXPRESS MAIL
- PRINTING

Credit Card Expenses: Credit card statement dated 10/1/24-10/31/24

October 2024 expenses:

Training - Other	\$ 66	Get The Party Started - Table/Chair Rental
CWPC Other	\$ 280	Phoenician Garden - Catering for County Wide Meeting
Program Supplies - Kitchen	\$ 2,797	The Webstaurant Store - Food Warmers for Centers
Nutrition Education	\$ 97	Premier Food Safety - Food Handlers Training
Program Supplies - Kitchen	\$ 144	Walmart - Microwave & Test Strips for Sanitation Testing
Program Supplies - Classroom	\$ 390	Walmart - Classroom Supplies
Program Supplies - Disposables	\$ 206	Walmart - Dishwasher Detergent, Diapers
Program Supplies - Food Disposables	\$ 171	Walmart - Cups, Plates, etc.
Printing	\$ 704	Alphagraphics - Printing of HS Handbook
CWPC Other	\$ 81	DiCicco's - Catering for County Wide Meeting
Office Supplies	\$ 405	Walmart - Office Supplies
Staff Training	\$ 240	Emily Juricek - HS Coaching
Program Supplies - Kitchen	\$ 2,286	Home Depot -Dishwashers
Telephone	\$ 131	Frontier Communication & Comcast - Telephone Service
Internet	\$ 118	Frontier Communication & Comcast- Internet Service
	\$ 8,115	

BOARD OF COMMISSIONERS MEETING

Date: January 27, 2025	Program: N/A
Agenda Item #: 13	Director: N/A
Subject: Program Financial Report: 2025 Budget	Officer: Brian Angus

Recommended Action

This item is intended to keep the full Board apprised of the 2025 financial planning activity for three programs: 1) Food Services, 2) Transit Systems and 3) Local Conservation Corps.

Background

As presented at the December 16, 2024, Board of Commissioners meeting, three programs reported with the most contributions to the 2024 deficit. The supplementary documents provide the strategic budget planning efforts for January through December 2025.

Fiscal Impact

Supplementary documents containing 2025 budget projections and beyond are included for the following: Food Services, Transit Systems, and Local Conservation Corps.

Conclusion

Programs have developed strategies to minimize potential deficits in 2025 anticipating surpluses by year’s end. Through these strategic measures, programs are positioning themselves for a positive financial outlook, ensuring continued service delivery, and long-term stability.

PROGRAM FINANCIAL REPORT: 2025 BUDGET

Food Services

Food Services' mission is to provide healthy, nutritious meals to school-aged youth, seniors and organizations requiring catering services, resulting in increased food accessibility and meal services through partnership and collaboration with other Fresno EOC departments and the community.

Executive Summary

Overview

Looking ahead to 2025, we are focused on optimizing operations to drive improved financial performance. Key strategies for the first half of the year include streamlining delivery routes, aligning staffing with seasonal demand, launching Medically Tailored Meals, securing additional grants and donations, and expanding the catering department to meet higher financial targets. Additionally, we will implement contract price increases starting in July 2025 and incorporate inflation clauses in future agreements.

We are beginning to see the positive impact of these strategic initiatives on our financial performance, while maintaining a steadfast commitment to fostering a supportive and positive work environment.

These efforts are projected to result in a \$50,000 surplus for 2025, positioning us for a positive financial outlook and ensuring the continued enhancement of service delivery and long-term sustainability.

Financial Overview and Future Strategies

Starting 2025 for Quarter 1 & 2

We project to manage expenses effectively for the first half of 2025 (January–June) with the following strategies:

- **Expense Reduction:** Optimize delivery routes to minimize labor and delivery costs while improving kitchen production efficiency.
- **Staffing Adjustments:** Align staffing with holidays and school closures to reduce double-time expenses while maintaining service quality.
- **Grants and Donations:** Pursue additional grants and submit reports to support food distribution efforts, while seeking donations from local partners.
- **Fee-for-Service Growth:** Expand the catering department to meet higher financial targets and increase fees for services at the Nielsen Conference Center (NCC).

Starting 2025 Quarter 3 & 4

With contract price increases, higher rates are expected to take effect in August and September as new contracts begin:

- **Contract Price Increase:** Implemented a price increase effective July 2025.
- **Contract Updates:** Added provisions to address inflation in future agreements.
- **Program Expansion:** Launch additional services - Medically Tailored Meals.

Long-Term Strategies

- **Solar Farm:** A 3-acre solar farm at 3110 W. Nielsen Avenue will produce up to 2 MW of renewable energy daily, fulfilling 100% of the kitchen's energy needs and generating additional revenue by selling surplus energy to the grid.
- **Electric Vehicles (EVs):** Gradual replacement of over 20 vans utilized for food service delivery with EVs. This transition is anticipated to save \$250,000 in fuel and maintenance expenses.

Financial Forecast

- Based on the strategies above, the 2025 budget projection is \$50,000 surplus.

Through these strategic measures, Food Services will continue to enhance food accessibility by providing nutritious meals to youth, seniors, and organizations.

PROGRAM FINANCIAL REPORT: 2025 BUDGET

Transit Systems

Transit Systems' mission is to provide transportation and support services to individuals with developmental disabilities, resulting in access to health programs throughout the Central Valley, through partnerships and collaboration with other Fresno EOC programs.

Executive Summary

Overview

Transit Systems operates as an enterprise program with a fiscal period of July 1st to June 30th. This report provides an overview of strategies for 2025 while highlighting the strategic measures already implemented and planned for FY 2025/2026.

Transit Systems 2025 budget is projecting a surplus of \$35,000. Transit Systems will begin the year with a deficit due to retroactive wage increases. The program is projected to move out of the deficit and begin achieving a surplus beginning July 2025. This improvement is driven by the receipt of Local Transportation Fund (LTF) allocations for both rural and urban areas. Additionally, Transit Systems will implement a 20% increase in rates for Central Valley Regional Center (CVRC) services.

Financial Overview and Future Strategies

Starting 2025 Deficit for Quarters 1 & 2

- A deficit of \$140,000 in January due to retroactive wage increases.

Immediate Financial Adjustments Effective January 1, 2025

- Maintenance labor rates increased from \$125 to \$160 per hour
- Special trip rates increased from \$175 to \$200 per hour (weekdays) and \$200 to \$225 per hour (weekends).

Starting 2025 Quarters 3 & 4

- LTF allocations
- **Cost Per Rider Adjustment:** An average 20% increase in the cost per ride for CVRC services for FY 2025/2026.

<u>CVRC rate</u>	<u>Jan-Jun 2025</u>	<u>July-Dec 2025</u>
Urban	\$71.50	\$91.73
Rural	\$66.52	\$71.04
Madera	\$90.20	\$96.20

Long-Term Strategies

- **Solar Farm:** A 3-acre solar farm at 3110 W. Nielsen Avenue will produce up to 2 MW of renewable energy daily, fulfilling 100% of the fleet’s energy needs and generating additional revenue by selling surplus energy to the grid.
- **Electric Vehicles (EVs):** Gradual replacement of over 50 transit and school buses with EVs, acquiring 10-15 buses annually. This transition is expected to save \$132,000 annually in energy costs and \$1M in fuel and maintenance expenses.

Financial Forecast

- In 2025, Transit Systems anticipates closing the year with a \$35,000 surplus.
- In 2026, Transit Systems will introduce the Vehicle-to-Grid (V2G) project, forecasted to significantly lower maintenance and fuel costs.

Through these strategic measures, Transit Systems is focused on maintaining reliable transportation services while ensuring financial sustainability.

PROGRAM FINANCIAL REPORT: 2025 BUDGET

Local Conservation Corps (LCC)

LCC's mission is to provide vocational training and access to education for young adults, ages 18-26, resulting in increased employability and their becoming contributing members of their community.

Executive Summary

Overview

LCC does not anticipate having a deficit for FY 2025. Collaborating with staff of LCC, Finance Office, the Program Officer, and the Interim CEO, the program not only plans to be deficit free, but in a position to expand services due to new initiatives.

Steps Taken to Address the Deficit:

LCC used a combination of the following steps to ensure the program is not in deficit during 2025:

- All janitorial services conducted by LCC crews on a rotating basis, saving the program \$20,000 a year.
- A portion of salaries for the senior management team including the LCC Director, Assistant Director, and Operations and Administrations Manager, not fully covered through grants, have been allocated to the LCC's Buyback/ CRV Redemption account, which is unrestricted funding for the program through the sale of collected CRV materials to a certified processor.
- The LCC requested an allocation of \$150,000 from the agency's 2025 CSBG funding.
- There is no expectation of unpaid retentions or disallowed costs from recently closed grants.

Financial Forecast for 2025

The LCC anticipates an opportunity for increased funding in 2025 through the following initiatives:

- California's passage of Prop 4 during last November's election will provide each Corps with \$1.5 – \$2 million each for project work. Funding is expected in mid-2025.
- Nature Based Solutions (NBS) - \$1.7 million. Application is being reviewed by the state. Line items within the grant will provide funding for LCC senior management salaries and operational costs.
- Nature Based Solutions - \$700,000. Staff will submit the application during Quarter 1 of 2025. Line items within the grant will provide funding for LCC senior management salaries and operational costs.

- Opening of a Second Buyback Center- LCC's current Buyback Center provides approximately \$100,000 in unrestricted funding annually. Additional funding will help support LCC senior management salaries and operational costs.
- Increased Public Lands Fee-for-Service Opportunities - Home Hardening and fuels management on private property in the foothills. The current fire disaster in Los Angeles demonstrates the importance of this service.
- LCC is awaiting direction from Fresno County on the fourth year of funding for our County POPS program.
- Federal Fatherhood FIRE Grant – The grant will be released in 2025 (grant released every 4 years). LCC was a previous recipient of this grant and successfully served over 1,300 fathers.

BOARD OF COMMISSIONERS MEETING

Date: January 27, 2025	Program: N/A
Agenda Item #: 14	Director: N/A
Subject: 2025 Signatory Authorization Resolution	Officer: Brian Angus

Recommended Action

Staff recommends approval of the 2025 Signatory Authorization Resolution to accurately reflect the agency’s Board Chair, and Vice Chair representatives.

Background

On an annual basis, the Board adopts a Signatory Resolution where it authorizes the Board of Commissioners the ability to designate on its behalf appropriate staff members to bind the agency.

On January 27, 2024, the Board will nominate and approve Commission Officer positions which includes the Board Chair and Vice Chair.

Fiscal Impact

With this recommendation, the authorized signatures will have the ability to execute any and all contracts and transactions deemed appropriate to fulfill the program operations of the agency.

Conclusion

If the Board approves, the Signatory Authorization Resolution will be updated to reflect the Board’s Chair and Vice Chair representatives to be effective January 27, 2025.

AUTHORIZED SIGNATORY RESOLUTION

WHEREAS, Fresno Economic Opportunities Commission is a private, nonprofit corporation, organized under Part 1, of Division 2, of Title 1, of the Corporations Code of the State of California, August 20, 1965; and

WHEREAS, the Board of Commissioners of Fresno Economic Opportunities Commission is vested with the authority to execute any and all contracts and transactions it deems appropriate to the mission of the agency; and

WHEREAS, the Board of Commissioners is authorized to designate in its behalf officers and agents duly entitled to bind the corporation to any and all contracts and transactions;

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Commissioners of Fresno Economic Opportunities Commission on this, the 27th of January 2025, hereby authorizes the Board Chair, Vice-Chair of the Board, Secretary of the Board/Interim Chief Executive Officer, Chief Operating Officer/Deputy CEO, and Interim Deputy CEO to sign all grants, contracts and amendments, program documentation, fiscal documents, including loans, reports, and all other required documents necessary in fulfilling the program operations of the agency.

AUTHORIZED SIGNATURES:

NAME, Board Chair	Brian T. Angus, Board Secretary/Interim Chief Executive Officer
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NAME, Board Vice Chair	Michelle Tutunjian, Chief Operating Officer/Deputy CEO
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Salam M. Nalia, Interim Deputy CEO

Approved at the meeting of the Board of Commissioners on January 27, 2025 and effective as of January 27, 2025.

Ayes _____ Nays _____ Absent _____ Attest _____

NAME, Board Secretary

BOARD OF COMMISSIONERS MEETING

Date: January 27, 2025	Program: N/A
Agenda Item #: 15	Director: N/A
Subject: Advancing Fresno County Guaranteed Income Update	Officer: Michelle L. Tutunjian

Recommended Action

The information presented below is intended to keep the Board apprised of the Advancing Fresno County Guaranteed Basic Income (AGI) program as requested by Commissioners at the December 16, 2024, meeting.

Background

The Advancing Fresno County Guaranteed Income (AGI) program provides recurring cash payments for 12 months, with no strings attached to 75 qualifying residents in zip codes 93234 (Huron) and 75 qualifying residents in 93706 (West Fresno). The program is administered by Fresno EOC and funded by the following sponsors: The California Wellness Foundation, James Irvine Foundation, California Endowment, Kresge Foundation, Delta Dental Community Care Foundation, Central Valley Community Foundation, Sierra Health Foundation, and Mayors for a Guaranteed Income. The Center of Community Voices at Fresno State serves as the program evaluator for the AGI program.

Below are significant milestones achieved in 2024:

- Released funding of \$500/month to 150 participants for a 12-month period (July 12).
- Conducted focus groups sessions in Huron and West Fresno and completed control group survey for 150 eligible and 150 ineligible participants (July 13).
- Held press event with community partners on progress of AGI project (July 17).
- The Center of Community Voices at Fresno State hosted a screening of the documentary, “It’s Basic,” directed by Marc Levin and executive produced by Mayors for a Guaranteed Income (MGI). Following the screening Michael D. Tubbs, MGI founder, and Fresno Guaranteed Income recipients participated in a discussion on September 24, 2024.
- Completed quarterly control group survey for 150 eligible and 150 ineligible participants in November 2024.

Several media mentions promoted AGI program activity (Refer to Attachment 1).

Below are activities in progress and planned for 2025:

- Conducted focus group survey for Huron (January 18) and West Fresno (January 25) participants.

- Monthly disbursement of debit card payments for 150 participants will continue through September.
- Conduct final focus group survey for Huron and West Fresno participants by June 2025.
- The final evaluation report is scheduled for release in December, accompanied by a press event to share the results (date TBD).

Fiscal Impact

As of December 31, 2024, 51% of the program budget has been utilized, leaving \$521,512 in remaining funds available.

Conclusion

The AGI Project has demonstrated notable success to date. By providing \$500 monthly to 150 families in need, the program has significantly enhanced financial stability and overall well-being for participants. This initiative empowers families to meet their individual needs without restrictions, fostering a sense of security and hope for a brighter future.

Attachment 1

Advancing Fresno County Guaranteed Income Media Mentions for 2024

February 2024

2/29/24

ABC30: [“New guaranteed income program in Fresno County”](#)

KSEE24: [“If eligible, you can receive \\$500 in Fresno County”](#)

Fresnoland: [“Guaranteed basic income programs coming to Fresno County this summer. Here’s who can apply.”](#)

Fresno Bee: [“Fresno program to give unrestricted monthly cash payments to families. Do you qualify?”](#) Spanish audience

The Sun: Fresno EOC announces universal basic income pilot program
<https://sjvsun.com/news/fresno/fresno-eoc-announces-universal-basic-income-pilot-program/>

Univision: [“Ayuda de 500 dólares mensuales para familias de bajos ingresos al centro de California”](#)

March 2024

3/1/24

Vida en El Valle: Fresno program will give unrestricted monthly payments to families. You qualify?
<https://www.fresnobee.com/vida-en-el-valle/noticias/article286137736.html>

3/4/24

Telmundo: Residentes elegibles del condado Fresno podrán recibir \$500 durante 12 meses; te decimos cómo
<https://www.telemundofresno.com/noticias/local/fresno-te-decimo-si-calificas-para-recibir-500-por-12-meses/2202954/>

The Business Journal: [Guaranteed basic income program coming to Fresno County this summer. Here’s who can apply.](#)
<https://thebusinessjournal.com/guaranteed-basic-income-program-coming-to-fresno-county-this-summer-heres-who-can-apply/>

3/16/24

Fresno EOC holds Community Meeting
<https://abc30.com/fresno-eoc-guaranteed-income-community-meeting-applications-open/14534169/>

3/18/24

Fresno County Guaranteed Income applications open
<https://abc30.com/14542149/>

3/26/24

Univision – time code 11:00-14:20
[En vivo | Noticias 21 | Así puedes solicitar la ayuda de \\$500 para familias al centro de California - YouTube](#)

April 2024

4/16/24

California Residents to Receive \$500 a Month Payments: Do you Qualify?

<https://www.newsweek.com/california-residents-500-month-direct-payments-1890392>

4/19/24

Californians in two cities will soon receive \$500 monthly payments thanks to an unusual program.

<https://www.the-sun.com/money/11130608/payments-guaranteed-income-fresno-huron-california/>

May 2024

5/4/24

California Residents Running Out of Time to Claim \$500 Monthly Payment

[California Residents Running Out of Time to Claim \\$500 Monthly Payment | Fresno Bee](#)

5/6/24

[California Residents Running Out of Time to Claim \\$500 Monthly Payment \(newsweek.com\)](#)

5/15/24

Deadline to apply for Fresno EOC's Guaranteed Income Program is May 15th

[Deadline to apply for Fresno EOC's Guaranteed Income Program is May 15th - ABC30 Fresno](#)

July 2024

7/16/24

Fresno's first guaranteed income program will hand out \$900,000 to some families

[Fresno's first guaranteed income program will hand out \\$900,000 to some families | YourCentralValley.com | KSEE24 and CBS47, Fresno CA](#)

7/17/24

Families selected for new guaranteed income program in Fresno County

[Families selected for new guaranteed income program in Fresno County - ABC30 Fresno](#)

'It's for real': Over 100 families in Fresno County to get \$500 a month for a year

['It's for real': Over 100 families in Fresno County to get \\$500 a month for a year | YourCentralValley.com | KSEE24 and CBS47, Fresno CA](#)



January 27, 2025

INTERIM CEO REPORT

Agency Updates

New Principal for the School of Unlimited Learning

Fresno EOC is excited to announce the appointment of Dr. Efrem (Dion) Varnado, Ed.D., as the new Principal and Academic Officer for the School of Unlimited Learning (SOUL). With over 19 years of experience in instructional leadership, including eight years as a lead principal, Dr. Varnado brings a wealth of expertise along with a collaborative leadership style to SOUL. As a Navy veteran, his diverse background has shaped a compassionate and student-centered approach to education.

Energy Services Welcomes Weatherization Director

Fresno EOC Energy Services is pleased to announce Latisha (Tish) Conway was promoted to Weatherization Director. With over 20 years of experience at Fresno EOC excelling in various roles, including Financial Analyst, Internal Auditor, and most recently Administrative and Operations Manager, her leadership will help to guide the Weatherization team to deliver energy-efficient solutions to our community.

Community Engagement

Human Trafficking Awareness Month: Fresno EOC Central Valley Against Human Trafficking

January has been a productive month for CVAHT during Human Trafficking Awareness Month. On January 21, CVAHT participated in the Pledge 2 Stop Trafficking fundraiser, a collaborative effort supporting anti-trafficking initiatives across Fresno and Madera Counties. CVAHT staff are also scheduled to attend the Human Trafficking Roundtable, hosted by Congressman David Valadao on January 31 at the Kings County Government Office. This event will bring together key stakeholders to discuss critical anti-trafficking efforts.

Several proclamations have been sponsored this month to honor Human Trafficking Awareness Month. Proclamations were presented at the City of Clovis on January 6, at the SCCC Board Meeting on January 14, and the City of Mendota on January 21. Upcoming proclamations include the Fresno County Board of Supervisors on January 28 at 9:00 AM and the City of Fresno on January 30 at 9:00 AM.

Valley Apprenticeship Connections (VAC): Expanding Opportunities in Rural Communities

On January 21, Fresno EOC's Valley Apprenticeship Connections (VAC) launched its Kerman cohort, a significant step in extending job training opportunities to underserved rural areas. This initiative demonstrates Fresno EOC's commitment to closing workforce gaps and equipping rural communities with essential skills for high-demand industries.

VAC will hold a job fair for students on March 12 at 1371 Stanislaus Street, Fresno, CA 93706. This event will connect participants with potential employers, offering opportunities for career growth.

Head Start Job Fair Success

On January 18, Fresno EOC hosted a job fair at Franklin Head Start. This event provided an excellent opportunity for job seekers to explore careers in early childhood education and connect directly with program leaders. Attendees participated in on-site interviews, and qualified candidates were offered conditional job offers.

Office of Head Start Monitoring Review

The Office of Head Start (OHS) conducted a Focus Area 2 (FA2) monitoring review of Fresno EOC, during the week of January 6, 2025. Fresno EOC had the opportunity to showcase program strengths through the activities that make up the FA2 Monitoring Review. A report will be provided within 90 days of the monitoring visit. Thank you, Commissioner Taylor and Commissioner Rodgers, for participating in the Governing Body Discussion and Commissioner Jenkins-McGill for participating during the Policy Council Discussion during the on-site visit.

One Fresno Youth Corps Cohort

The One Fresno Youth Job Corps Cohort 2 began on November 4, 2024. Nine interns were placed across Fresno EOC departments, including Workforce Connection, WIC, Finance, Navigation, Communications, Food Services, Access to Technology, and Human Resources. Interns will work up to 20 hours per week over 12 weeks. Supervisors provided glowing evaluations for the interns' dedication and contributions, with one standout participant being offered a temporary case manager position with Workforce Connection.

Early Childhood Wrap-Around Services Grant

Fresno EOC Health Services is implementing the \$1.5 million Early Childhood Wrap Around Services grant to support 240 Fresno County families with children ages 0-5. This 20-month program, based on the evidence-based Parents As Teachers model, provides case management, parenting strategies, and connections to essential resources to help children reach developmental milestones and address potential delays. Families will also be linked to Fresno EOC programs and external services as needed. This transformative initiative underscores Fresno EOC's commitment to improving early childhood outcomes and supporting families in need. The program is funded through June 2026.

Agency Bus Tour for New Board Members

Fresno EOC continues to host agency bus tours. We have invited New Board Members, to join us for a tour of the agency on Friday, January 31st and welcome any other Board Member who wishes to have a refresher of our agency services. The day-long bus ride takes you to different offices and work sites, where you can visit most of our programs to see the work done and hear from staff. If you are interested in signing up for this New Board Members Agency tour or any other scheduled tour date, please email Karina.Perez@FresnoEOC.org to sign up.

The 2025 Agency tour schedule includes: January 31 (Board Members Only), February 28, April 25, June 27, August 22, and October 24.