



## Monterey Peninsula Airport District



*“Provide the region convenient commercial and general aviation access to the national air transportation system, operate the airport in a safe, efficient, sustainable and fiscally responsible manner, and develop the airport to meet future needs, opportunities and challenges”*

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# EMPLOYEE HANDBOOK

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Revision Effective  
July 2014

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# TABLE OF CONTENTS

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|   |    |
|---|----|
| WELCOME .....                           | 1  |
| INTRODUCTION .....                      | 1  |
| CUSTOMER SERVICE POLICY .....           | 2  |
| DISCUSSING MPAD BUSINESS .....          | 2  |
| EMPLOYMENT POLICIES.....                | 2  |
| NATURE OF EMPLOYMENT.....               | 2  |
| EQUAL EMPLOYMENT OPPORTUNITY.....       | 2  |
| INTERACTIVE COMMUNICATION PROCESS ..... | 3  |
| PROHIBITED HARASSMENT.....              | 3  |
| IMMIGRATION LAW COMPLIANCE.....         | 5  |
| EMPLOYEE RELATIONS .....                | 5  |
| EMPLOYMENT APPLICATIONS .....           | 6  |
| EMPLOYMENT OF RELATIVES .....           | 6  |
| EMPLOYMENT CATEGORIES .....             | 6  |
| Introductory .....                      | 6  |
| Regular .....                           | 6  |
| Temporary.....                          | 7  |
| INTRODUCTORY PERIOD .....               | 7  |
| JOB DESCRIPTIONS .....                  | 7  |
| PERFORMANCE EVALUATIONS.....            | 8  |
| WORK SCHEDULES .....                    | 8  |
| ACCESS TO PERSONNEL FILES .....         | 8  |
| INFORMATION CHANGES .....               | 8  |
| SECURITY INSPECTIONS.....               | 8  |
| EMPLOYMENT SEPARATION.....              | 9  |
| EMPLOYMENT REFERENCE CHECKS .....       | 9  |
| REHIRE POLICY.....                      | 9  |
| EMPLOYEE CONDUCT AND WORK RULES.....    | 10 |
| CODE OF CONDUCT.....                    | 10 |
| CORRECTIVE ACTION.....                  | 11 |
| ATTENDANCE AND PUNCTUALITY .....        | 11 |
| EXCHANGING SHIFTS.....                  | 11 |
| PERSONAL APPEARANCE .....               | 12 |
| USE OF VEHICLES AND EQUIPMENT .....     | 12 |
| MPAD PROPERTY.....                      | 12 |
| CONFLICTS OF INTEREST .....             | 12 |
| SMOKING.....                            | 13 |
| DRUG AND ALCOHOL USE.....               | 13 |
| INFORMATION/COMMUNICATION SYSTEMS.....  | 13 |
| SUPPLEMENTAL EMPLOYMENT .....           | 15 |
| PROBLEM SOLVING .....                   | 15 |

|   |    |
|---|----|
| EMPLOYEE BENEFITS .....   | 16 |
| GENERAL .....   | 16 |
| HEALTH AND LIFE INSURANCE .....   | 16 |
| DENTAL INSURANCE .....  | 16 |
| VISION SERVICE PLAN .....   | 17 |
| PUBLIC EMPLOYEES' RETIREMENT SYSTEM PENSION.....                                | 17 |
| DEFERRED COMPENSATION .....   | 17 |
| DEPENDENT CARE ASSISTANCE PROGRAM.....  | 17 |
| FLEXIBLE SPENDING ACCOUNT .....   | 17 |
| BENEFITS CONTINUATION (COBRA).....  | 17 |
| UNPAID TIME-OFF .....   | 17 |
| VACATION BENEFITS.....  | 18 |
| SICK TIME AND KIN CARE BENEFITS .....   | 18 |
| HOLIDAYS.....   | 19 |
| MANAGEMENT LEAVE.....   | 19 |
| TIME OFF TO VOTE .....  | 20 |
| EDUCATIONAL ASSISTANCE.....   | 20 |
| WAGE REPLACEMENT INSURANCES .....   | 20 |
| State Disability Insurance (SDI) – Employee's Own Illness/Injury: .....         | 20 |
| Paid Family Leave (PFL) – To Care for a Family Member:.....                     | 20 |
| Social Security Insurance .....   | 21 |
| Unemployment Insurance .....  | 21 |
| Workers' Compensation Insurance.....  | 21 |
| LEAVES OF ABSENCE .....   | 21 |
| WORKERS' COMPENSATION DISABILITY LEAVE .....                                    | 21 |
| FAMILY AND MEDICAL LEAVE ACT (FMLA) & CALIFORNIA FAMILY RIGHTS ACT (CFRA) ..... | 22 |
| Entitlement to Leave .....  | 22 |
| Eligibility.....  | 22 |
| Types of Leave .....  | 22 |
| Pregnancy Disability Leave (PDL) .....  | 23 |
| Duration of Leave.....  | 23 |
| Health Insurance During Leave .....   | 23 |
| Benefits During Leave.....  | 24 |
| Use of Vacation and Sick Time.....  | 24 |
| Certification of the Serious Health Condition .....                             | 25 |
| Reinstatement after Leave .....   | 25 |
| Procedure for Requesting Leave .....  | 25 |
| PREGNANCY DISABILITY LEAVE (PDL) .....  | 26 |
| Entitlement to Leave .....  | 26 |
| Certification.....  | 26 |
| Notification .....  | 26 |
| Benefits During Leave.....  | 26 |
| Return to Duty.....   | 27 |
| Lactation Accommodation .....   | 27 |
| PERSONAL LEAVE .....  | 27 |
| Medical Leave.....  | 27 |
| Disaster Relief Assistance Leave .....  | 28 |
| BEREAVEMENT LEAVE .....   | 28 |
| JURY DUTY.....  | 28 |
| MILITARY LEAVE.....   | 28 |

|  |           |
|--|-----------|
| MILITARY RESERVES OR NATIONAL GUARD LEAVE .....          | 29        |
| LEAVE FOR MILITARY SPOUSES .....                         | 29        |
| PARENTS'/GUARDIANS' SCHOOL LEAVE.....                    | 30        |
| SCHOOL DISCIPLINE LEAVE.....                             | 30        |
| EMERGENCY DUTY LEAVE .....                               | 30        |
| LEAVE SUMMARY CHART .....                                | 32        |
| <b>COMPENSATION</b> .....                                | <b>32</b> |
| REST AND MEAL PERIODS .....                              | 32        |
| TIMEKEEPING.....   | 33        |
| ALTERNATIVE WORK SCHEDULES .....                         | 33        |
| OVERTIME .....   | 34        |
| COMPENSATORY TIME OFF (CTO) .....                        | 35        |
| MAKE-UP TIME .....                                       | 35        |
| PAYDAYS.....   | 36        |
| PAY DEDUCTIONS .....                                     | 36        |
| CORRECTIONS TO PAYCHECKS .....                           | 36        |
| OTHER TYPES OF PAY .....                                 | 36        |
| Call-Back Pay for Non-Exempt Maintenance Employees ..... | 36        |
| On-Call Pay for Non-Exempt Maintenance Employees .....   | 36        |
| <b>HEALTH AND SAFETY</b> .....                           | <b>37</b> |
| WORKPLACE VIOLENCE .....                                 | 37        |
| SAFETY RULES .....                                       | 37        |
| ASBESTOS NOTIFICATION.....                               | 38        |
| SECURITY .....   | 38        |
| EMERGENCY PROCEDURES .....                               | 39        |
| Fire.....  | 39        |
| Earthquake.....  | 39        |
| <b>INDEX</b> .....                                       | <b>41</b> |

## **WELCOME**

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The Board of Directors and General Manager welcome you to the Monterey Peninsula Airport District (MPAD).

We believe that each employee contributes directly to the MPAD's growth and success and hope you will take pride in being a member of our team. You have joined a dedicated group of individuals working to preserve the unique beauty of the Monterey Peninsula while increasing the efficiency and convenience of the traveling public.

This Employee Handbook was developed to describe what is expected of our employees and to outline the policies, programs and benefits, as provided in MPAD's Policies & Procedures Manual. You should familiarize yourself with the contents of the Manual as soon as possible for it will answer many questions that you may have about your employment with MPAD.

We hope that your experience with MPAD will be enjoyable and rewarding.

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## **INTRODUCTION**

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One of our objectives is to provide a work environment that is conducive to both personal and professional growth. This handbook is designed to acquaint you with MPAD and to provide you with information about working conditions, your benefits and some of the policies affecting your employment as noted in MPAD's Policies & Procedures Manual. The policies contained in this Employee Handbook dated **July 2014** apply to all employees and supersede and replace all previously communicated policies both in written and verbal form. This handbook does not create a contract, expressed or implied.

You should read, seek necessary clarification, and comply with all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed to benefit you.

No employee handbook can anticipate every circumstance or question about policy. As we continue to meet new challenges and improve our services, the need may arise to change policies described in the handbook. MPAD therefore reserves the right to revise, supplement, or rescind any policy or portion of the handbook from time to time as is deemed appropriate. Employees will be notified of revisions/updates to these policies.

This handbook shall be read in conjunction with the provisions of the current agreements between the Monterey Peninsula Airport District and the Monterey Peninsula Airport District Peace Officers' Association, and the Monterey Peninsula Airport District Administrative Assistants Association. The terms and conditions of these union contracts supersede any contrary provision contained in this Handbook. In cases where specific legalities related to particular public sector employees apply, those legal requirements will apply.

When an employee is covered by a Police Directive (in the case of Police Department employees), a Memorandum of Understanding or another more specific written directive or policy that is not consistent with the policies contained in this Handbook, the Police Directive, Operational Policy, Memorandum of Understanding or more specific written directive or policy will apply to the issue.

Understandably, you will have questions throughout the course of your employment. We encourage you to first ask these questions of your supervisor. If your supervisor is unable to answer your questions, or you do not feel appropriate asking such questions of him/her, you should then speak with Human Resources, your Supervisor or the General Manager.

We are committed to engaging our employees in ongoing, meaningful dialog regarding all matters of employment. We encourage our employees to bring their issues and concerns to us, before discussing such matters with agents outside of MPAD.

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## CUSTOMER SERVICE POLICY

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At MPAD our goal is to leave a positive, lasting impression with the customers who choose to do business with us. We accomplish this through caring and professional employees who strive to provide exceptional customer service by not only meeting, but *exceeding* our customers' expectations in every way possible. By providing excellent quality customer service, many of our customers will choose MPAD again and again, and will recommend us to their colleagues.

*What* we say to our customers and *how* we say it are the basic building blocks to exceptional customer service. All of us should constantly look for opportunities to enhance the satisfaction of our customers. This requires a committed, team approach. We are all expected to accommodate customer requests and needs as they arise. The primary tools in accomplishing this are *knowledge* of your job, the products and services we provide our customers, and your *attitude* when delivering that knowledge, service or product. Remember to always interact with our customers in the most pleasant and efficient manner.

### DISCUSSING MPAD BUSINESS

Whenever you are on duty or on District property, it is important that you not discuss District business, work difficulties, or any work matters with a customer, which might place MPAD in a negative light. Understandably, our customers are interested in courteous, prompt service, not excuses or complaints from any of us. Our primary concern at all times should be customer satisfaction. Our customers neither want nor need to learn of our internal affairs. If problems or difficulties arise, communicate directly with management, who will work with you to resolve them.

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## EMPLOYMENT POLICIES

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### NATURE OF EMPLOYMENT

MPAD endeavors to provide a positive employment atmosphere for all employees. Some employees of MPAD are governed by Negotiated Agreements while others are not. Employees not part of a Negotiated Agreement will be entirely covered by the provisions of this Handbook. Additionally, other terms and conditions of employment such as compensation, benefits, title, duties, and corrective action may be modified at the discretion of MPAD.

### EQUAL EMPLOYMENT OPPORTUNITY

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at MPAD will be based on merit, qualifications and abilities. Employment practices will not be influenced or affected by an applicant's or employee's sex (including gender), sexual orientation, race, color, religion, marital status, pregnancy, denial of FMLA/CFRA, national origin (including language use and restrictions), ancestry, medical condition (including cancer/genetic characteristics), age (40+), physical/mental disability (including HIV/AIDS), denial of PDL (Pregnancy Disability Leave) or reasonable accommodation, veteran status, or any characteristic as protected by applicable law.

It is MPAD's intent to comply with the provisions of disability anti-discrimination requirements, and make reasonable accommodations for qualified applicants and employees with known disabilities if the person is otherwise qualified to safely perform all the essential functions of the position and if the accommodation does not constitute an undue hardship on MPAD. Therefore, if you feel you need reasonable accommodation to perform the essential functions of your job, contact your supervisor or Human Resources to begin an interactive process in determining the appropriateness of accommodation.

This policy governs all aspects of employment including selection, job assignment, compensation, corrective action, termination and access to benefits and training.

If you have questions or concerns about any type of discrimination in the workplace, you are encouraged to bring these issues to the attention of your supervisor, your Supervisor, HR or the General Manager. You can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination or retaliation will be subject to corrective action, up to and including termination of employment.

### **INTERACTIVE COMMUNICATION PROCESS**

MPAD is committed to an ongoing interactive communication process whenever an employee (or applicant) requests reasonable accommodation due to a disability or medical condition. Employees are required to bring such requests to your Supervisor, HR or the General Manager immediately in order to begin the dialog in a timely manner. While accommodations may not always be possible, MPAD will make every reasonable effort to find solutions to such employee requests.

### **PROHIBITED HARASSMENT**

MPAD is committed to providing all of its employees with a workplace free of harassment. MPAD maintains a strict policy prohibiting sexual harassment and harassment on the basis of sex (including gender), sexual orientation, race, color, religion, marital status, pregnancy, denial of FMLA/CFRA, national origin (including language use and restrictions), ancestry, medical condition (including cancer/genetic characteristics), age (40+), physical/mental disability (including HIV/AIDS), denial of PDL (Pregnancy Disability Leave) or reasonable accommodation, veteran status, or any characteristic as protected by applicable law.

This prohibition applies to all persons involved in the operation of MPAD, including employees, vendors, and customers of MPAD. No employee is expected to tolerate any conduct prohibited by this policy from anyone while at work or engaged in District business.

In keeping with our commitment to a harassment free environment, MPAD will comply with all applicable rules and regulations regarding the training of employees in supervisory positions.

#### **Sexual Harassment Defined**

Sexual harassment prohibited by this policy includes any unwanted sexual advances, requests for sexual favors or visual, verbal or physical conduct of a sexual nature when:

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

The three most common types of sexual harassment complaints are those in which:

- An employee is fired or denied a job or an employment benefit because he/she refused to grant sexual favors or because he/she complained about harassment.
- An employee quits because he/she can no longer tolerate an offensive work environment, referred to as a "constructive discharge."
- An employee is exposed to an offensive work environment. Exposure to various kinds of behavior or to unwanted sexual advances alone may constitute harassment.

The following is a partial list of conduct that would be considered sexual harassment:

- Unwanted sexual advances.
- Offering employment benefits in exchange for sexual favors.
- Making or threatening retaliation after a negative response to sexual advances

- Visual conduct such as leering, making sexual gestures, displaying offensive, derogatory, obscene or sexually suggestive objects, e-mails, computer graphics or images, unwelcome notes or letters, photographs, cards, drawings, gestures, pictures, cartoons, calendars or posters placed on walls, bulletin boards, or elsewhere on District premises or circulated in the workplace.
- Verbal conduct such as making or using derogatory comments, epithets, slurs, sexually explicit jokes, negative stereotyping, comments about an employee's body or dress.
- Written communications of a sexual nature distributed in hard copy or via a computer network.
- Verbal sexual advances or propositions.
- Verbal abuse of a sexual nature, graphic verbal commentary about an individual's body, sexually degrading words to describe an individual, suggestive or obscene letters, notes or invitations.
- Physical conduct such as touching, assaults, impeding or blocking movements, unwelcome physical contact or staring at a person's body.
- Retaliation for making harassment reports or threatening to report harassment.

Sexual harassment can occur between employees of the same sex. It is unlawful for males to sexually harass females or other males, and for females to sexually harass males or other females.

### **Other Types of Harassment**

MPAD also prohibits harassment on the basis of race, color, national origin, religion, gender, ancestry, pregnancy, childbirth, physical or mental disability, medical condition, age, veteran status or any other characteristic protected by applicable law. Such prohibited harassment includes but is not limited to the following examples of offensive conduct:

- Verbal conduct such as threats, epithets, derogatory comments or slurs;
- Visual conduct such as derogatory posters, photographs, cartoons, drawings or gestures.
- Written communications containing statements that may be offensive to individuals in a particular protected group, such as racial or ethnic stereotypes or caricatures.
- Physical conduct such as assault, unwanted touching or blocking normal movement.
- Retaliation for making or threatening to make harassment reports to MPAD, or for participating in an investigation into harassment allegations.

### **Monterey Peninsula Airport District's Harassment Complaint Procedure**

If you believe that you have been subjected to harassment, whether or not specifically noted as an inappropriate behavior as described in this policy, you should immediately tell the harasser to stop his/her unwanted behavior. You are required to immediately report the offensive behavior, preferably in writing, to your supervisor, HR or the General Manager of MPAD.

If you become aware of harassing conduct engaged in or suffered by another MPAD employee, regardless of whether such harassment directly affects you, you should immediately report that information, preferably in writing, to your supervisor, HR or the General Manager of MPAD.

Complaints should include details of the incident(s), names of individuals involved, and the names of any witnesses. No adverse action will be taken against an employee who makes a report or cooperates in the investigation of a report of harassment. Supervisors, Managers and HR must immediately refer all harassment complaints to the General Manager of MPAD.

MPAD's policy is to conduct an immediate, thorough and objective investigation of any harassment claims.

MPAD will protect the confidentiality of the harassment allegations to the extent possible. However, MPAD cannot guarantee complete confidentiality, since we cannot conduct an investigation without revealing certain information to the alleged harasser and potential witnesses. At the conclusion of our



investigation, we will attempt to determine whether unlawful harassment has occurred. MPAD will look at the totality of the circumstances, including the nature of the conduct and the context in which it occurred. If appropriate, MPAD will, as promptly as possible, communicate our findings and the remedial action (if any) to be taken, to the accused, to the complainant, and, when appropriate, to other persons who are directly concerned.

If we determine that harassment has occurred, MPAD will take remedial action commensurate with the severity of the offense. This action may include corrective action against the harasser, up to and including termination. Steps will be taken, as necessary, to prevent any further harassment.

#### **No Retaliation**

MPAD strictly prohibits retaliation against any person by another employee or by MPAD for using this complaint procedure, reporting harassment, or for filing, testifying, assisting or participating in any manner in any investigation, proceeding or hearing conducted by MPAD or a governmental enforcement agency.

MPAD does not consider conduct in violation of this policy to be within the course and scope of employment and does not sanction such conduct on the part of any employee, including management employees.

#### **Additional Enforcement Information**

MPAD encourages all employees to report any instances of harassment forbidden by this policy immediately so that complaints can be resolved. In addition to MPAD's internal complaint procedure, employees should also be aware that the federal Equal Employment Opportunity Commission (EEOC) and the California Department of Fair Employment & Housing (DFEH) investigate and prosecute complaints of unlawful discrimination and harassment in employment. Employees who believe that they have been harassed may file a complaint with the Department of Fair Employment and Housing within one year of the last date of unlawful harassment, or with the Equal Employment Opportunity Commission within 180 days of the alleged discriminatory act. Both the EEOC and the DFEH serve as neutral fact finders and attempt to help the parties voluntarily resolve disputes.

For more information, contact HR, the General Manager, or the nearest office of the EEOC or DFEH. The address and telephone number of the local offices of the EEOC and DFEH are located in the telephone directory.

### **IMMIGRATION LAW COMPLIANCE**

We are committed to full compliance with federal immigration laws and will not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. An employee who is authorized to work but is unable to present the required documents within three business days of the date of hire must present a receipt for the application for the documents within three business days and the actual documents within 90 days. Failure to present documentation within these required time limits will preclude the employee from returning to work. Former employees who are rehired must also complete the form if they have not completed an I-9 with MPAD within the past three years, or if their previous I-9 is no longer retained or valid. Employees may raise questions or complaints about immigration law compliance without fear of reprisal by MPAD.

### **EMPLOYEE RELATIONS**

This employee handbook outlines our expectations of you as an employee. We also want you to know what you can expect of us. We strongly believe that the working conditions, wages and benefits we offer to you are competitive with those offered by other employers in this industry. If you have concerns about working conditions or compensation, you are encouraged to voice these concerns openly and directly with your supervisor, HR, or the General Manager.

Our experience has shown that when employees deal openly and directly with one another, the work environment can be excellent, communications can be clear, and attitudes can be positive. Open communication is a "two way street," so speak with us if you have any concerns or need questions answered.

#### **EMPLOYMENT APPLICATIONS**

All employees are required to fully complete MPAD's Employment Application. We rely upon the accuracy

of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination from employment.

#### **EMPLOYMENT OF RELATIVES**

The employment of relatives in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. Relatives of persons currently employed by the District may be hired only if (1) they will not be working directly for or supervising a relative, (2) they will not occupy a position in the same line of authority within the organization, and (3) the employment will not pose difficulties for supervision, security, safety, or morale and (4) the employment will not be within the same department. This policy applies to any relative, senior or junior in the organization that has the authority to review employment decisions. Employees of the District cannot be transferred into such a reporting relationship.

Relatives may not be employed in positions where sensitive employee data may be available such as Human Resources, Accounting or Information Technology.

#### **EMPLOYMENT CATEGORIES**

There are employment classifications that determine your employment status and benefits eligibility, though these classifications do not guarantee employment for any specified period of time. Your position is designated as either non-exempt or exempt from Federal Labor Standards Act (FLSA) laws. Employees in non-exempt positions are entitled to overtime pay as specified by FLSA and other provisions of federal laws. "Comp" time may be provided in lieu of overtime pay for employees in non-exempt positions. Employees in exempt positions are excluded from overtime and other specific provisions of federal laws. You will be advised of the exempt or non-exempt status of your position upon hire.

In addition to the above classifications, each employee will belong to one of the following employment categories:

##### **INTRODUCTORY**

The initial 12 months, (or applicable period of time noted in a bargaining agreement) of employment for newly hired, promoted or transferred employees is when management and the new employee closely evaluate the compatibility, abilities, and interest in the position. These employees are entitled to receive all legally mandated benefits (Workers' Compensation, State Disability, Paid Family Leave, Unemployment, Social Security Insurances, and similar benefits), and may also be eligible for District-provided benefits (health insurance, vacation, paid holidays, paid sick time and similar benefits) subject to the terms and conditions of each benefit program. See Introductory Period below for more detailed information.

##### **REGULAR** ***Full-Time***

Regular full-time employees are those who are not in a temporary or introductory status and who are regularly scheduled to work at least 40 hours per week. These employees are entitled to receive all

legally mandated benefits (Workers' Compensation, State Disability, Paid Family Leave, Unemployment, Social Security Insurances, and similar benefits), and are also eligible for District-provided benefits (health insurance, vacation, paid holidays, paid sick time and similar benefits).

### ***Part-Time***

Part-time employees are those who are not assigned to a temporary or introductory status and who are regularly scheduled to work less than 40 hours per week. These employees are entitled to receive all legally mandated benefits (Workers' Compensation, State Disability, Paid Family Leave, Unemployment, Social Security Insurances, and similar benefits), but are not eligible for District-provided benefits (health insurance, vacation, paid holidays, paid sick time and similar benefits). Part-time employees are not eligible for CalPERS Retirement unless they exceed one thousand hours within a fiscal year.

### **TEMPORARY**

Temporary employees are those who are hired on a part-time or full-time basis: to provide an interim replacement during a leave of absence; to temporarily supplement the work force (i.e.: peak season); or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration and though a temporary position has an established length of time, there is no guarantee that if an employee is hired to perform a temporary position, the employee will be retained throughout the entire period of the assignment. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change. These employees are entitled to receive all legally mandated benefits (Workers' Compensation, State Disability, Paid Family Leave, Unemployment, Social Security Insurances, and similar benefits), but are not eligible for District-provided benefits (health insurance, vacation, paid holidays, paid sick time and similar benefits). Police Officers who retired with CalPERS and are hired with MPAD are "temporary" status in accordance with CalPERS regulations.

### **INTRODUCTORY PERIOD**

All new and rehired employees work on an introductory basis for the first 12 months after hire, unless otherwise stated in a separate bargaining agreement. The introductory period is intended to give you, as a new employee, the opportunity to demonstrate your ability to achieve a satisfactory level of performance and to determine whether the new position meets your expectations. This period is used to evaluate your capabilities, work habits, and overall performance. However, successful completion of the introductory period does not guarantee continued employment. Either you or MPAD may end the employment relationship at will, at any time during the introductory period, with or without cause or advance notice.

Any significant absence will automatically extend an introductory period by the length of the absence. If MPAD determines that the designated introductory period does not allow sufficient time to thoroughly evaluate your performance, the introductory period may be extended one or more times in MPAD's discretion. Upon satisfactory completion of the initial introductory period, employees enter the "regular" employment classification.

Employees who are promoted or transferred must complete a new introductory period with each reassignment to a new position. In cases of promotions or transfers within MPAD, an employee who, in the sole judgment of management, is not successful in the new position can be removed from that position at any time during the secondary introductory period. If this occurs, you may be allowed to return to your former job or to a comparable job for which you are qualified, depending on the availability of such positions and the needs of MPAD. Benefits eligibility and employment status are not changed during the secondary introductory period that results from a promotion or transfer within MPAD.

### **JOB DESCRIPTIONS**

We believe employees should have a clear understanding of the primary job responsibilities you are expected to perform. Therefore, we provide a Job Description that outlines and explains the duties and responsibilities of your position. You are responsible for becoming familiar with your Job Description, and bring questions or concerns to the attention of your supervisor. We also expect that, as you perform your

position, you make note of any recommended revisions to your Job Description to be sure it is kept current, and that it is an accurate reflection of the duties you perform.

## **PERFORMANCE EVALUATIONS**

We strive for a common goal of excellence, therefore the informal evaluation (and possible discussion) of your performance is an ongoing process. In addition, formal performance reviews are conducted on a regular basis. The purpose of these appraisals, or evaluations, is to let you know those areas in which you have performed well, in addition to areas where improvement is needed to meet the established standards.

We will endeavor to conduct an appraisal of your performance on or about the completion of your introductory period and written appraisals annually on your anniversary hire date. Performance appraisals may also be conducted at other times during your employment at MPAD. Generally, step increases within each job classification are based on satisfactory annual anniversary performance appraisals.

The decision to award such is always at the sole discretion of MPAD and is dependent on numerous factors, including but not limited to the information documented by the formal performance appraisal process.

Appraisals will be reviewed in a private meeting between you and your supervisor. You will see any written appraisals, have the opportunity to make your written comments, sign the appraisal and receive a copy. You are welcome to discuss your appraisals further with your supervisor, if you wish.

This formal review is not necessarily the only time job performance is discussed. If you have any questions about how you are doing, or what you can do to improve your performance, please ask us to discuss this with you in private. We attempt to maintain an "open door" policy with regard to personnel matters and welcome your comments anytime.

## **WORK SCHEDULES**

Office hours for most administrative employees are from 8:00 a.m. to 5:00 p.m. Monday through Friday. However, work schedules for employees vary throughout MPAD. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week. Your supervisor will notify you of your work schedule.

## **ACCESS TO PERSONNEL FILES**

Personnel files are the property of MPAD and access to the information they contain is restricted. Generally, only members of management of MPAD, who have a legitimate reason to review information in a personnel file, are allowed to do so. If you wish to review your own personnel file, you may do so with reasonable advance notice, and in the presence of the Human Resources/Risk Manager.

## **INFORMATION CHANGES**

It is your responsibility to promptly notify us of any changes in important information such as: name, address, telephone number and person(s) to be notified in case of an emergency. Other information such as changes in marital status or dependents may affect the number of exemptions claimed for income tax withholding purposes and/or benefits.

## **SECURITY INSPECTIONS**

It is our policy to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other improper materials. To this end, the possession, transfer, sale, or use of such materials on its premises is strictly prohibited. We ask for the cooperation of all employees in administering this policy. Desks or other storage devices may be provided for the convenience of employees, but remain the sole property of MPAD. Accordingly, they, as well as any articles found within them, can be inspected by any agent or authorized representative of MPAD at any time, either with or without prior notice. Employment Separation

## **EMPLOYMENT SEPARATION**

We hope you find your employment relationship with MPAD rewarding and satisfying. However, separation of employment is an inevitable part of the personnel activity within any organization.

Below are examples of the more common circumstances under which employment is separated:

**Resignation** — employment separation initiated by an employee who chooses to leave MPAD voluntarily. Resigning employees shall submit a written Notice of Resignation (available from HR) and are asked to give no less than two (2) weeks written notice. Managers and employees in key positions are expected to provide no less than 30 days written notice of their intention to resign employment. This advance notice does not include vacation, sick time or any other compensated or non-compensated time off from work.

Circumstances may exist where MPAD, in its sole and absolute discretion, may exercise its right to accept a resignation immediately or to accelerate the final date of employment. Whether the date designated by the employee or a date selected by MPAD becomes the employee's last day of work, the employee's personnel records will normally indicate voluntary resignation.

Employees who fail to report to work for three (3) consecutive work shifts without proper notification will be considered to have abandoned their job and to have voluntarily resigned from MPAD.

**Termination** — employment separation initiated by MPAD either during or after the introductory status.

**Layoff / Reduction in Force** — involuntary employment separation initiated by MPAD. Under some circumstances, MPAD may need to restructure or reduce its workforce. If it becomes necessary to restructure our operations or reduce the number of employees, we will attempt to provide advance notice, if possible, so as to minimize the impact on those affected. If possible, employees subject to restructure or reductions will be informed of the nature and the foreseeable duration of the restructure or reduction, whether short-term, long-term or permanent.

In determining which employees will be subject to a restructure or reduction, we will take into account, among other things such as the respective union agreements, operational requirements, the skills, productivity, ability and past performance of those involved and also, where feasible, the employee's length of service.

**Retirement** — employee initiated voluntary retirement from active employment. While MPAD does not have a mandatory retirement age, employees who would like to discuss retirement, are encouraged to do so with HR. Retiring employees are asked to provide the same notification required of employees who voluntarily resign.

## **EMPLOYMENT REFERENCE CHECKS**

We are extremely concerned about the accuracy of information provided to individuals outside our organization regarding current or former employees. Any inquiries, which are received either by telephone or in writing regarding a present or past employee, are to be referred to HR for proper handling. No other employees of MPAD may provide (either on or off-the-record) any information regarding current or former employees.

## **REHIRE POLICY**

If you voluntarily leave the employment of MPAD in good standing, and after having provided proper notice, you are encouraged to re-apply for employment at a future date. Re-employment is not guaranteed, rather, management may, at its sole discretion, evaluate and determine whether an offer of re-employment is appropriate. Employees who are involuntarily terminated, whose work record is unsatisfactory, or who do not provide proper notice will generally not be considered eligible for rehire for any position within MPAD.

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# EMPLOYEE CONDUCT AND WORK RULES

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## CODE OF CONDUCT

To assure orderly operations and provide the best possible work environment, we expect all employees to follow the rules of conduct listed below, that will protect the interests and safety of you, your co-workers, customers, and MPAD. It is, of course not feasible to list all the forms of behavior that are considered unacceptable in the workplace. Accordingly, conduct that is unacceptable in MPAD's opinion, whether specifically listed below or not, may result in corrective action up to and including termination.

- Sexual or other unlawful harassment
- Dishonesty
- Theft, misappropriation, or inappropriate removal or possession of property, including electronic files
- Falsification of employment records, employment information, timekeeping records or other District records
- Disclosing or using confidential information without authorization
- Working under the influence of alcohol or drugs
- Misuse of prescribed drugs
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating employer-owned vehicles or equipment
- Smoking in prohibited areas
- Gambling on the premises
- Interfering with the work performance of others
- Fighting or threatening violence in the workplace
- Boisterous or disruptive activity in the workplace
- Using abusive language at any time when on District premises or while performing work
- Insubordination or other disrespectful conduct
- Negligence or improper conduct leading to damage or destruction of District-owned or property owned by another
- Violation of District safety or health rules
- Failure to follow instructions and safety requirements
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace except for District employees such as police whose jobs require such possession
- Excessive absenteeism or any absence without notice
- Unauthorized absence from work station
- Sleeping or malingering while on-duty
- Personal use of MPAD property, including electronic hardware and software
- Unauthorized use of telephones, fax machines, mail system, copiers, computers, or other District owned equipment, time, materials, or facilities
- Making or accepting excessive personal calls during working hours
- Violation of personnel policies, policies in this Manual and Memoranda of Understanding or unsatisfactory performance or conduct

- Failure to provide physician or medical certification when requested or required to do so
- Working overtime without authorization or refusing to work assigned overtime
- Committing a fraudulent act or a breach of trust under any circumstances
- Engaging in criminal conduct whether or not related to job performance
- Any behavior that would reflect negatively on MPAD

## **CORRECTIVE ACTION**

MPAD will ordinarily give notice of problems with conduct or performance in order to provide an opportunity to correct those problems. Such notice may include verbal counseling, written counseling, suspension or demotion as appropriate for the specific situation; however, if necessary, MPAD reserves the right to impose immediate discharge.

### **PRE-DISCIPLINE PROCEDURES**

MPAD employees who have successfully completed their introductory period have pre-disciplinary rights. When an employee who has successfully completed the introductory period is to be demoted, suspended, or terminated, certain specific procedural rights will be provided prior to the discipline taking effect. Please note that these rights do not apply to verbal or written warnings not involving demotion, suspension or termination. The pre-discipline steps are as follows:

1. The employee will receive a preliminary written notice of intent to discipline in the case of demotion, suspension, or termination. This notice will include the date it will be effective, the specific grounds and particular facts on which the action will be taken, and a copy of written materials, reports, or documents upon which the proposed action is based.
2. The employee then chooses whether to respond orally, in writing or both to the charges. The employee may also request an opportunity to respond within 5 business days (excluding weekends and holidays) of receipt of the preliminary notice.
3. The employee's response will then be considered before taking disciplinary action.
4. The employee will be notified within 5 business days (excluding weekends and holidays) of the disciplinary action taken.

## **ATTENDANCE AND PUNCTUALITY**

To maintain a safe and productive work environment, MPAD expects all employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on working operations. In the event that you become aware of an anticipated tardiness or absence, please notify your supervisor or his/her appointed contact person as soon as possible, and no later than the beginning of your scheduled shift. If it is after normal working hours, you should notify your supervisor by leaving a message with a return number. If you are unable to reach your supervisor, you must also leave a message with a return number and when you will be returning to work. If you are unable to say when you will return, you must call in at the beginning of each shift.

Excessive absenteeism (excused or not) may result in counseling or corrective action up to and including termination of employment. Each situation of excessive absenteeism or tardiness shall be evaluated on a case-by-case basis. However, even one unexcused absence may be considered excessive, depending on the circumstances. Employees who fail to report for work without any notification to management for a period of three (3) consecutive work shifts will be considered to have abandoned his/her employment and have voluntarily resigned.

## **EXCHANGING SHIFTS**

Understandably, there will be times when personal conflicts may arise with your scheduled work shift. Management will work with you, whenever possible, to help resolve the problem. You are not permitted, however, to exchange shifts with another employee without the prior authorization of both your and the other employee's supervisor. Authorization to exchange shifts will depend on many factors including the frequency of request, interference with District operations, and overtime considerations.

## **PERSONAL APPEARANCE**

Work attire and grooming standards should complement an environment that reflects an efficient, orderly operated business. Acceptable attire will depend greatly on your position and your contact with our customers. For example, if you are meeting with officials or dignitaries, business attire may be appropriate.

Generally, due to the nature of our business, your appearance should be neat and well kept. Extreme styles that are distracting and do not conform to our acceptable dress codes are not permitted. Some examples of attire that we do not consider appropriate are shorts, overly casual T-shirts (those with large printed areas), and exposed tattoos and body piercing. Dirty or torn clothing is also inappropriate for the work place. Shoes must be worn in good taste and job appropriate.

We expect that you will use appropriate discretion regarding your attire. You are to dress in good taste and in accordance with the requirements of your position. If you have questions or need guidance about dress and appearance standards, please speak with HR.

## **USE OF VEHICLES AND EQUIPMENT**

Vehicles and equipment essential in accomplishing job duties is often expensive and may be difficult to replace. When using District property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and laws. In all district vehicles where seat belts are provided, they must be used by the driver and the passengers.

Please notify your supervisor if any equipment, machines, or tools appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs can prevent deterioration of equipment and possible injury to employees or others. Your supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment used on the job.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment can result in corrective action, up to and including termination of employment.

## **MPAD PROPERTY**

Employees are responsible for all property, materials, or written information issued to them or in their possession or control. All District property, including desks, storage areas, work areas, lockers, file cabinets, computer systems, office telephones, modems, facsimile machines, copy machines and District vehicles must be kept clean and neat and maintained in good working order. All District property may be used only for business purposes. Employees who lose, misuse or misappropriate District property may be personally liable for replacing or fixing the item and may be subject to corrective action, up to and including termination of employment. You must return all District property immediately upon request or upon separation of employment. MPAD may take all action deemed appropriate to recover or protect its property.

## **CONFLICTS OF INTEREST**

All MPAD employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. Transactions with outside firms must be conducted within a framework established and controlled by the General Manager. Business dealings with outside firms should not result in unusual gains for those firms, MPAD employees, or both. Unusual gain refers to bribes, special fringe benefits, unusual price breaks, and other windfalls.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in personal gain for that employee or for a relative as a result of MPAD's business dealings. For purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with an employee is similar to that of persons related by blood or marriage.

If you have any influence on transactions involving purchases, contracts, or leases, it is imperative that



you disclose to the General Manager as soon as possible the existence of any actual or potential conflicts of interest so that safeguards can be established to protect all parties.

The materials, designs, plans, ideas, and data of MPAD are the property of MPAD and should never be given to an outside firm or individual except through normal channels and with appropriate authorization. Any improper transfer of materials or disclosure of information, even though it is not apparent that you have personally gained by such action, constitutes unacceptable conduct. Employees who participate in such a practice will be subject to disciplinary action, up to and including possible termination of employment.

#### **SMOKING**

For health, safety, and business considerations, employees are discouraged from smoking. Secondhand smoke can be harmful to nonsmokers as well as smokers. Smoking is not permitted in District buildings, or in the presence of MPAD's customers. Employees who wish to smoke may do so on designated breaks outside and in accordance with California State Law.

#### **DRUG AND ALCOHOL USE**

MPAD is committed to providing a drug-free, healthful, and safe workplace. Being under the influence of any drug and/or alcoholic beverage on the job poses serious risks to the health and safety of employees and to the public, and is a serious violation of MPAD's policy. To promote this goal, all employees are required to report to work fit to perform their jobs in a satisfactory manner. While on District premises and while conducting business-related activities off MPAD premises, no employee may, possess, distribute, sell, or be under the influence of alcohol or engage in the unlawful manufacture, sale, purchase, distribution, dispensation, possession, or use of illegal drugs.

Pursuant to this commitment, all MPAD employees are subject to the District's Drug and Alcohol Abuse Policy.

#### **INFORMATION/COMMUNICATION SYSTEMS**

The Monterey Peninsula Airport District encourages and provides the use of electronic communications resources to share information in support of its mission and to conduct its business. This policy governs all Electronic Communication including, but not limited to, the Internet, E-mail, District website and intranet, voice-mail, cellular telephones, pagers, personal digital assistants, smart phones, Blackberry devices, computers/laptops/tablets, telecommunications, devices, video and audio equipment, wireless networks, data systems telecommunications, equipment transmission devices, data processing or storage systems, computer systems, servers, networks, input/output and connecting devices, software, and documentation that supports electronic communications.

##### **Electronic Communications:**

The District's e-mail system is an official communication tool for District business. An official email address is established and assigned by the District to each employee. All District communications sent via email will be sent to this address. District employees must use the District's email, instead of their private email address (such as yahoo, gmail, hotmail, etc.) when communicating District business via email.

Electronic Communication must be used in compliance with applicable statutes, regulations, and District's policies including those that require a work environment free from discrimination and harassment. Electronic communications should confirm to the same standards, of propriety and respect as any other verbal or written communications at the District. Employees are expected to use common sense and good judgment to avoid any communication which is disrespectful, offensive or illegal.

The District, as the provider of access to its Electronic Communications, reserves the right to specify how those resources will be used and administered to comply with this policy. It is important to realize that the message content sent from the District's email account reflects upon the District (positively or negatively) to those who receive the message. In addition, some delivery methods and networks impose legal

restrictions regarding the nature of messages allowed. Users are expected to comply with all such regulations. Employees and other users of the Electronic Communications may create criminal and civil liability for themselves and the District by using outside or third party systems in an offensive, defamatory or illegal manner and in such event employees and other users may be subject to disciplinary action up to and including termination.

**Incidental Personal Use:**

Electronic Communication is provided by the District to facilitate the performance of District work. Incidental personal use is secondary, and should not (i) interfere with the District's operations of Electronic Communication; (ii) interfere with the user's employment or other obligations to the District, or (iii) burden the District with noticeable incremental costs. Users of Electronic Communications shall not give the impression that they are representing, giving opinions, or otherwise making statements on behalf of the District unless appropriately authorized to do so. The District is not responsible for any loss or damage incurred by an individual as a result of personal use of the District's Electronic Communications.

**Privacy Limits:**

The California Public Records Act requires the District to disclose specified public records. In response to requests for such disclosure, it may be necessary to examine electronic communication records that users may consider to be personal to determine whether they are public records that are subject to disclosure. All communications transmitted via the District's Electronic Communications, whether or not related to personal or confidential matters, are subject to monitoring, at the District's discretion.

The District monitors communications transmitted via the District's Electronic Communications in the ordinary course of business for purposes that include ensuring their reliability and security. The existence of passwords and "message delete" functions do not restrict or eliminate the District's ability or right to access Electronic Communications. Additionally, the District may be required to produce information transmitted or stored on its Electronic Communications pursuant to a court order, subpoena, or statute.

**Restrictions:**

The information sources accessible via the Internet are worldwide and constantly growing in kind and number. It is not possible for any Internet access provider to fully manage the types of information accessible by its systems and users, especially with regard to content limitations. Nonetheless, the District reserves the right to restrict access to any data source, at its sole discretion. Without exhausting all the possibilities, the following are examples of inappropriate use of the District's Electronic Communications:

- 1) Exposing others unwillingly, either through carelessness or intentions, to material which is offensive, obscene or in poor taste. This includes information which could create an intimidating, offensive or hostile work environment.
- 2) Any use that may, for a reasonable person, create or further a hostile attitude or give offense on the basis of race, color, religion, national origin, citizenship, ancestry, marital status, gender, disability, age, veteran's status, sexual identity or sexual orientation.
- 3) Communicating confidential District information to unauthorized individuals within or outside of District.
- 4) Sending messages or information which is in conflict with applicable law or District policies, rule or procedures.
- 5) Attempting to access unauthorized data or break into any District or non- District system.
- 6) Engaging in theft or the unauthorized copying of electronic files or data.
- 7) Performing acts that are wasteful of computing resources or unfairly monopolize resources to the exclusion of others is prohibited. These acts include, but are not limited to: sending mass mailings, chain letters, audio or video files and creating unnecessary network traffic.
- 8) Intentionally misrepresenting one's identity for improper or illegal acts.
- 9) Engaging in unlawful activities;
- 10) Engaging in commercial activity or activity for personal financial gain, not under the auspices of the District
- 11) Engaging in recreational use of the District's Electronic Communications that interferes with the ability of the employee or others users to conduct District work. This includes but is not limited to

downloading or uploading software, games, or shareware. Employees are also prohibited from downloading and using instant messenger (IM).

Failure to follow the District's Electronic Communications will be subject to disciplinary action, up to and including termination for violating the District's Electronic Communications Policy.

**Telephone Use**— Incoming phone calls are an important and essential part of our business. If your job requires you to answer the phone, remember that the caller's entire impression of MPAD will be based on how you sound. Be courteous and friendly, and whenever possible refer to the caller by name.

Personal phone calls, including texting, placed or received should be kept to a minimum to ensure that our customers can effectively communicate with us. Necessary phone calls, including texting, should be made during breaks or meal periods whenever possible. If it is necessary to make a personal, long distance telephone call, please keep them to a minimum and charge any toll calls to a personal calling card. Messages of an emergency nature will be delivered promptly and our telephones are always available for use on an emergency basis. **Cell Phones** – While driving, attention to the road and safety should always take precedence over using the phone. Drivers should complete calls while the vehicle is parked and/or use the phone in a "hands free" mode via a headset or speaker. Cell phones issued to employees must only be used for MPAD business in compliance with the Internal Revenue Code. Any citations for cell phone violation shall be the employee's responsibility.

**Mail & Postage Use**—The use of District-paid postage for personal mail is not permitted.

#### **SUPPLEMENTAL EMPLOYMENT**

We have no objection to you holding another job providing you can effectively meet the performance standards for your position with us, that such employment does not result in overtime obligations, and that the additional position does not conflict with the interests of MPAD or reflect adversely upon it. If you have/desire supplemental employment, inform your supervisor and HR to discuss the appropriateness of such employment. All employees will be held to the same standards of performance and scheduling demands. Exceptions cannot be made for employees who choose to maintain supplemental employment. Employees must obtain prior approval from the General Manager if the supplemental employment is within the Monterey Peninsula Airport District's property.

#### **PROBLEM SOLVING**

In any workplace, there are bound to be problems that arise in the course of employment. It is important to note that discussing or "*complaining*" about such issues with your coworkers will not lead to a solution and may even escalate the problem. This problem-solving procedure, outlined below, is intended to encourage open communication and improve working conditions.

Such problems may concern working conditions, the interpretation or application of policies and procedures or any other matter related to your employment. Efforts will be made to provide you with the opportunity to raise concerns or problems in confidence.

All employees, including those employees involuntarily terminated, have access to the problem solving procedures. We want to encourage employees to address and attempt to resolve problems as quickly as possible. There are two main steps in the problem solving procedure, and most problems are resolved at one of these steps.

1. Informally discuss problems or complaints with your supervisor \* with a serious attempt to resolve the situation at that level. If after discussion, the problem or complaint is not resolved, and you wish further review,
2. Submit a written statement of the problem to your supervisor\* for further review, discussion and attempt to solve the problem or complaint. (A form is available from HR.)

*\*MPAD encourages all problems to be handled according to the above policy, but recognizes that there may be times when the employee is not comfortable talking with his or her supervisor.*

*If at any time, you feel uncomfortable discussing a problem or complaint with your supervisor; please understand that you are able to address these concerns or problems with HR or the General Manager.*

If the problem or complaint is not resolved upon formal notification to your supervisor, HR may get involved to work with you and the supervisor to resolve the conflict or problem. In the event that the problem is not resolved through this problem solving process, the General Manager will intervene. Any action by the General Manager shall be binding and final.

Under no circumstances should a problem or complaint be discussed with a customer, guest, visitor, vendor or any other non-employee. In the event that the problem or complaint involves one of the above, your supervisor should be immediately advised.

We are committed to engaging our employees in ongoing, meaningful dialog regarding all matters of employment. We anticipate that our employees will bring their issues and concerns to us, before discussing such matters with agents outside of MPAD.

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## **EMPLOYEE BENEFITS**

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### **GENERAL**

Eligible employees at MPAD are provided a wide range of benefits. A number of the programs (such as Social Security, Workers' Compensation, State Disability, Paid Family Leave and Unemployment Insurance) cover all employees in the manner prescribed by law.

In addition, the following benefit programs are also available to eligible employees: Paid Vacation Time, Paid Sick Time, Paid Holidays, a Retirement Plan through the Public Employees' Retirement System (PERS), Medical, Dental, Life and Vision Insurance, Deferred Compensation, Flexible Spending Account, Dependent Care Assistance Program, Paid Bereavement Leave, and Paid Jury Duty Leave.

Unpaid leaves may be provided to eligible employees. Unpaid leaves of absence include, but are not limited to, Family Medical Leave Act (FMLA) and California Family Rights Act (CFRA), Medical Leave, Pregnancy Disability Leave, Personal Leave, Parent's / Guardian's School Leave, School Discipline Leave, Military Leave of Absence, Military Reserves or National Guard Leave of Absence, Emergency Duty Leave, Leave to Appear in Court, Domestic Violence Leave, Leave for Victims of Crime. Policies for these leaves of absence are included in this Handbook.

HR can assist you in determining which benefits you are eligible for and can also provide further information regarding these benefits.

Specifics of all plans are contained in official plan documents which will be forwarded to employees as they become eligible for coverage under these plans. These documents control all aspects of the plan and are subject to change in MPAD's discretion. Additional information can also be requested from HR.

### **HEALTH AND LIFE INSURANCE**

We provide an extensive health and welfare plan, which includes medical and life coverage for full-time employees in regular (non-temporary) positions. Health Insurance is also available to spouse/dependents/registered domestic partners. Eligibility begins on the first of the month after date of hire in an eligible position. Terms of coverage may vary from time to time, for details contact Human Resources.

### **DENTAL INSURANCE**

We provide a dental plan for full-time employees in regular (non-temporary) positions. Dental Insurance is also available to spouse/dependents/registered domestic partners. Eligibility begins on the first of the month following two (2) calendar months' continuous employment in an eligible position. Terms of coverage may vary from time to time, for details contact Human Resources.

## **VISION SERVICE PLAN**

We provide a vision plan to full-time employees in regular (non-temporary) positions. Additional coverage is also available to spouse/dependents/registered domestic partners at the employee's expense. Payroll deduction is available to accommodate this request. Eligibility begins on the first of the month following two (2) calendar months' continuous employment in an eligible position. Terms of coverage may vary from time to time, for details contact Human Resources.

## **PUBLIC EMPLOYEES' RETIREMENT SYSTEM PENSION**

MPAD makes regular contributions on behalf of all full-time regular employees into the Public Employees' Retirement System Pension Plan (PERS). Upon eligibility, you will be provided further details.

## **DEFERRED COMPENSATION**

All full time employees are eligible to participate in MPAD's deferred compensation plan upon hire. The benefit plan representative will provide you with further details.

## **DEPENDENT CARE ASSISTANCE PROGRAM**

All full time employees are eligible to participate in MPAD's Dependent Care Assistance Program. Upon eligibility, you will be provided further details from Human Resources.

## **FLEXIBLE SPENDING ACCOUNT**

MPAD offers eligible employees an opportunity to use pre-tax dollars to pay for certain health care and dependent care expenses through an IRS-approved program called "Flexible Spending Accounts" or FSA (also known as Section 125 Plans). All full-time employees are eligible to participate in the FSA program on the first of the month following 30 days of continuous employment in an eligible position. Part-time, per diem and temporary employees are not eligible to participate in this plan. Upon eligibility, you will be provided further details from the benefit plan representative.

## **BENEFITS CONTINUATION (COBRA)**

The Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under MPAD's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, separation of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the eligible employee or beneficiary pays the full cost of coverage at MPAD's group rates plus an administration fee.

MPAD provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under our health insurance plan. The notice contains important information about the employee's rights and obligations.

## **UNPAID TIME-OFF**

To be eligible for time off without pay you must have first exhausted all vacation, sick time and comp time accruals. To request time-off, you must make your request to your supervisor at the earliest convenience. All requests for time off require approval by your supervisor and will be reviewed based on a number of factors, including business needs, seniority, staffing requirements, and availability of paid time off benefits.

## VACATION BENEFITS

Vacation time off with pay is available to regular, full-time employees to provide opportunities for rest, relaxation and personal pursuits as described in this policy. Temporary and part-time employees are not eligible to participate in paid vacation benefits (see Unpaid Time-Off for more information). You may request use of accrued and available vacation benefits as they are earned.

### Vacation Accrual Rate

| <b>Years of Eligible Service</b>      | <b>Vacation Hours<br/>Accrued</b> | <b>Maximum Hours<br/>Earned<br/>(Vacation Cap)</b> |
|---------------------------------------|-----------------------------------|--|
| After 1 year<br>but less than 5 years | 80 hours                          | 240 hours  |
| 5 Years,<br>but less than 10          | 120 hours                         | 240 hours  |
| 10+ Years                             | 160 hours                         | 240 hours  |

The length of eligible service is calculated on the basis of a "benefit year." This is the 12-month period that begins on your date of hire. Your benefit year may be extended for any significant leave of absence at MPAD's discretion.

As a general rule, paid vacation time can be used in minimum increments of 15 minutes for non-exempt employees and a full day for exempt employees. The maximum amount that can be used at one time is two (2) weeks. To take more than two (2) weeks you must request a Personal Leave. To take vacation, you should request approval from your supervisor as far in advance as possible. All requests will be reviewed based on a number of factors, including business needs, staffing requirements, order of requests and possibly seniority. Vacation time off is paid at your base pay rate at the time of vacation; it does not include overtime or any special forms of compensation such as incentives or bonuses. Except as may be provided in the respective union agreements, vacation accrual rates are subject to change in MPAD's discretion.

The maximum accrued benefit that you may have at any one time will not exceed 240 hours (as noted in the far right column of the above schedule). If the earned but unused vacation benefits reach this maximum, additional benefits will be "capped" and will not accrue until unused benefits are used or otherwise reduced as provided in this policy. When you use paid vacation time and bring the available amount below the cap, vacation accrual will begin again.

Upon separation of employment, you will be paid for accrued, but unused vacation time earned through the last day of work. Generally, vacation time should be taken only after it is accrued. Vacation may be taken in advance of accrual only with the approval of the General Manager and upon execution of an agreement that, if employment is separated for any reason, the employee will make arrangements to pay MPAD back for the outstanding amount of vacation taken.

Upon rehire, employees will begin to accrue vacation according to the above schedule with no carry-over of previous years of eligible service.

## SICK TIME AND KIN CARE BENEFITS

Sick time benefits are available to all regular full-time employees in order to minimize the economic hardships that may result from an unexpected short-term illness or injury. Eligible employees will accrue sick time benefits at the same rate as vacation time. Paid sick time may be used in minimum increments

of fifteen (15) minutes for non-exempt employees and one full day for exempt employees. Unused sick time benefits may accumulate indefinitely.

Sick time benefits are available and payable only in the case of your own actual illness or injury. However, in addition, employees may use the amount of sick leave accrued in a six (6) month period to care for a child, parent, spouse or domestic partner. Sick leave is not to be used as “extra” vacation days. Sick time benefits are designed only to assist you when work is missed due to an actual illness or injury and benefits are not available or payable for any other reason. No sick time benefits are paid upon separation of employment except in the case of retirement.

Failure to follow reporting procedures outlined in the Attendance and Punctuality policy may result in an unexcused absence. A doctor’s certificate may be required as proof of need for absence of three (3) or more days and/or to medically release you to return to work.

**HOLIDAYS**

MPAD recognizes the following holidays:

|                                  |                             |
|----------------------------------|-----------------------------|
| New Year's Day .....             | January 1st                 |
| Martin Luther King Jr. Day ..... | Third MONDAY in January     |
| Presidents' Day .....            | Third MONDAY in February    |
| Memorial Day .....               | Last MONDAY in May          |
| Independence Day .....           | July 4th                    |
| Labor Day .....                  | First MONDAY in September   |
| Veteran's Day .....              | November 11th               |
| Thanksgiving Day .....           | Fourth THURSDAY in November |
| Day after Thanksgiving .....     | Fourth FRIDAY in November   |
| Christmas Eve Day .....          | December 24th               |
| Christmas Day .....              | December 25th               |

All holidays listed above will be observed on the day designated by federal proclamation, which means that if a holiday falls on a weekend, it will normally be observed on the Friday before or the Monday after the holiday. The above schedule may be modified in years in which an obvious opportunity exists to optimize or group holidays with weekends.

All regular full-time, non-exempt employees who **do not work** on a designated holiday will receive holiday pay at one times their regular rate of pay (as of the date of the holiday). If a recognized holiday falls during an eligible employee’s approved paid absence (vacation, sick leave, etc.), the holiday will not be counted as a day of vacation or sick leave.

All regular full-time, non-exempt employees who **work** on a designated holiday will receive holiday pay as described above, in addition to receiving their regular pay for all hours actually worked. Alternatively, employees may be granted equivalent time off on another day with approval from the Deputy General Manager, subject to scheduling and staffing requirements.

**MANAGEMENT LEAVE**

Annually on July 1<sup>st</sup>, Management Leave may be awarded by the General Manager to an exempt employee on the basis of her/his performance. The actual award of 40 hours or lesser amount will occur only once per fiscal year. A recommendation from the employee’s manager must be submitted to the General Manager.

Management Leave must be used within the fiscal year awarded, or it is lost. An employee may choose to use all or part of the Management Leave as vacation or may request that all or any unused balance after the use of Management Leave as vacation be paid out to him/her.

Management Leave shall be accounted for separately from normal vacation earned. To make the

election to receive pay for unused Management Leave, an employee shall provide a written request to Payroll, via the Human Resources Manager, no later than 15 days prior to the end of the period when the payment is requested.

#### **TIME OFF TO VOTE**

MPAD encourages employees to fulfill their civic responsibilities by participating in elections. Generally, employees should be able to find time to vote either before or after their regular work schedule. If employees are unable to vote in an election during their non-working hours, MPAD will grant up to two (2) hours of paid time off to vote.

Employees should request time off to vote from their supervisor at least two working days prior to the Election Day. Advance notice is required so that the necessary time off can be scheduled at the beginning or end of the work shift, whichever provides the least disruption to the normal work schedule. Employees must submit a voter's receipt on the first working day following the election to qualify for paid time off.

#### **EDUCATIONAL ASSISTANCE**

If qualified and interested, regular, full-time employees who do not receive educational incentives are encouraged to advance your job-related skills and education through MPAD's tuition reimbursement program. Courses of instruction must be job-related and approved in advance of registration by the Deputy General Manager. You must be employed by MPAD during the entire length of the educational course or program to be eligible for reimbursement. Requests for continuing education should be submitted in writing to management and include the following information:

- description of the course and its relevance to the employee's work performance or career development
- dates of enrollment
- costs of tuition, required books and materials
- Passing grade of "C" or higher

Within 30 days of completion of the approved course or program, you must submit proof of completion in the form of an official transcript with the final grade and receipts for the actual costs as pre-approved.

Upon submission of these requirements, the employee will be reimbursed a maximum of \$5,250 per fiscal year for approved expenses incurred during that fiscal year.

While educational assistance is expected to enhance the employee's performance and professional abilities, MPAD cannot guarantee that participation in formal education will entitle the employee to automatic advancement, a different job assignment, or pay increases.

#### **WAGE REPLACEMENT INSURANCES**

##### **STATE DISABILITY INSURANCE (SDI) – EMPLOYEE'S OWN ILLNESS/INJURY:**

To help provide compensation for employees who miss work due to a non-work related accident or illness, the law requires that a small percentage of your wages be deducted each pay period for State Disability Insurance (SDI). MPAD pays this amount for each of its employees by increasing the gross amount of wages paid to the employee. Please refer to the leaves of absence policies that are outlined later in this handbook for procedures on requesting a leave of absence for this purpose (FMLA/CFRA, Pregnancy Disability Leave, Medical Leave, and/or Personal Leave).

##### **PAID FAMILY LEAVE (PFL) – TO CARE FOR A FAMILY MEMBER:**

To help provide compensation for time taken off to care for a new child or to care for a family member's child, parent, spouse, or domestic partner serious health condition. Like SDI, this benefit is offered through the state and is financed through State Disability Insurance. Please refer to the leaves of absence policies that are outlined later in this handbook for procedures on requesting a leave of absence (FMLA/CFRA and/or Personal Leave).



### **SOCIAL SECURITY INSURANCE**

As an employee of MPAD you are covered under the provisions of the Federal Social Security Law (FICA). Social Security benefits can provide you some retirement income. There is a deduction from your wages for social security taxes; this amount is matched by MPAD. The total contribution by you and MPAD is credited toward your Social Security benefits, which may be available at the time you are eligible to retire. In addition, disability and survivors' benefits are financed through Social Security deductions.

### **UNEMPLOYMENT INSURANCE**

If your employment separates with MPAD, you may be eligible to receive Unemployment Insurance Benefits. This insurance is fully paid by MPAD and is administered by the State. In most cases, you must file a claim in order to collect this benefit. Benefits are generally available to employees who are out of work through no fault of their own (including a reduction in regular workweek). Eligibility for benefits is determined by the Employment Development Department.

### **WORKERS' COMPENSATION INSURANCE**

A comprehensive Workers' Compensation Insurance program is provided at no cost to you. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, Workers' Compensation Insurance provides benefits after a short waiting period or, if you are hospitalized, immediately. All employees are given a pamphlet explaining their Workers' Compensation benefits upon hire.

### **Employees who sustain work-related injuries or illnesses must inform a supervisor *immediately*.**

No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible. You will be furnished an "Employee's Claim Form" within one (1) business day of reporting the injury, which you must complete and return to your supervisor with a copy to Human Resources as soon as possible.

In the case of a one-time treatment of **minor** scratches, cuts, burns, splinters or other minor injuries, as long as there is no lost work time beyond the date of the injury, it will be treated as a first aid case. If additional care and treatment is needed, or if time is lost from work after the date of the injury, the claim will no longer be considered a "first aid" claim, but will be processed as a regular claim under Workers' Compensation Insurance.

If treatment is required, MPAD will send (or arrange transportation, if necessary) you to the medical facility noted on the Workers' Compensation poster. You must receive medical attention from this facility unless you have notified MPAD in writing of your personal physician before the injury. A written notice by the physician is required to authorize a return to work. Should the physician indicate physical limitations upon return to work, such limitations must be discussed with and approved by management.

All employees should be aware that new anti-fraud laws state that any person who makes or causes to be made any knowingly false or fraudulent material statement or material representation for the purpose of obtaining or denying Workers' Compensation benefits or payments is guilty of a felony. An employee may be subject to corrective action, up to and including termination if he or she is found guilty of fraud.

Neither MPAD nor the insurance carrier will be liable for the payment of Workers' Compensation benefits for injuries that occur during your voluntary participation in any off-duty recreational, social or athletic activity sponsored by MPAD.

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## **LEAVES OF ABSENCE**

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### **WORKERS' COMPENSATION DISABILITY LEAVE**

MPAD will grant workers' compensation disability leave in accordance with the law if you incur an occupational illness or injury. As an alternative, MPAD may offer you modified work in accordance with state and federal law.

Workers' Compensation leaves will be classified as Family & Medical Leave Act (FMLA) / California Family Rights Act (CFRA) if the injured employee is otherwise qualified for FMLA/CFRA (see policy).

Upon submission of a medical certification that you are able to return to work, you will be reinstated in accordance with applicable law. Should the physician indicate physical limitations upon return to work, such limitations must be discussed with and approved by your supervisor and HR. We are committed to engaging our employees in ongoing, meaningful dialogue regarding modifications at work. We anticipate that our employees will bring their issues and concerns to us, before discussing such matters with agents outside of MPAD.

## **FAMILY AND MEDICAL LEAVE ACT (FMLA) & CALIFORNIA FAMILY RIGHTS ACT (CFRA)**

### **ENTITLEMENT TO LEAVE**

Up to 12 weeks of leave may be taken pursuant to the Family and Medical Leave Act (FMLA) and the California Family Rights Act (CFRA) during any 12-month period by eligible employees. An employee may take leave in 12 consecutive weeks, may use the leave intermittently (periodically, as needed), or under certain circumstances may use the leave to reduce the workweek or workday, resulting in a reduced work schedule. This leave may or may not be in a paid status.

MPAD will not interfere with, restrain, or deny the exercise of any right provided by this law, or discharge or discriminate against any employee because of involvement in any proceeding related to FMLA/CFRA. All FMLA/CFRA leaves of absence will be administered in accordance with applicable federal and state laws.

### **ELIGIBILITY**

In order to qualify to take FMLA/CFRA under this policy, the employee must meet both of the following conditions:

1. The employee must have worked for MPAD at least 12 months, or 52 weeks. The 12 months, or 52 weeks, need not have been consecutive.
2. The employee must have worked at least 1250 hours during the 12-month period immediately before the date when the leave would begin.

### **TYPES OF LEAVE**

Leave under FMLA/CFRA runs concurrently when taken for the following reasons:

- for the birth and care of a newborn child of the employee;
- for placement with the employee of a son or daughter for adoption or foster care;
- to care for a spouse, son, daughter, or parent with a serious health condition;
- to take medical leave when the employee is unable to work because of a serious health condition; **or**
- for qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty or call to active duty status as a member of the National Guard or Reserves in support of a contingency operation.

A covered employer also must grant an eligible employee who is a spouse, son, daughter, parent, or next of kin of a current member of the Armed Forces, including a member of the National Guard or Reserves, with a serious injury or illness up to a total of **26 workweeks of unpaid** leave during a "single 12-month period" to care for the service member.

Leave under FMLA may be taken for the following reasons:

1. If an employee's spouse or child is on active duty in the military or is a reservist who faces recall to active duty and a qualifying exigency exists, the eligible employee may use up to 12 work weeks of his or her FMLA entitlement. This leave is intended to provide service members with a

family support system in the event that they require time to get their affairs in order prior and subsequent to active duty (i.e., childcare issues, personal financial matters, etc.).

2. If an employee is the spouse, child, parent, or next of kin of a member of the Armed Forces, National Guard or Reserves who has been injured while on active military duty, the eligible employee will be granted an additional 14 weeks of unpaid leave for a combined FMLA leave of 26 weeks for this purpose. In order to qualify for the benefits of this section, the injured relative must be undergoing medical treatment, recuperation, or therapy, be otherwise in outpatient status, or be otherwise on the temporary disability retired list, for a serious injury or illness.
3. If the eligible employee has used a portion of his or her FMLA entitlement for other purposes, the remaining portion of that FMLA entitlement may be used before taking up to an additional 14 weeks of leave.
4. Employees who wish to take advantage of this benefit must provide such notice to the employer as is reasonable and practicable. MPAD requires that an employee's request for leave related to active duty or a call to active duty be supported by a certification.
5. Under no circumstances will leave taken under this section exceed 26 weeks.
6. Except as otherwise provided by a collective bargaining agreement, employees who take a leave provided by this section must first use any accrued paid vacation.
7. As with all leaves taken under FMLA, MPAD will continue employee's health insurance benefits as they existed prior to the leave for no longer than 12 work weeks.

This benefit is not available under CFRA.

#### **PREGNANCY DISABILITY LEAVE (PDL)**

An employee who is disabled due to pregnancy, childbirth, or a related medical condition, as certified by her health care provider, may take up to a maximum of four months (or 88 work days for a full-time employee) of unpaid Pregnancy Disability Leave (PDL). PDL runs concurrently with FMLA but not with CFRA. Consequently, once the employee no longer qualifies as disabled under PDL/FMLA, she may take up to an additional 12 work weeks of CFRA family leave to take care of her new child, so long as the CFRA leave is completed within one year of the birth, adoption or foster placement of the child. (See Pregnancy Disability Leave (PDL) policy for more details.)

#### **DURATION OF LEAVE**

Except as specifically set forth in this section, an eligible employee can take up to 12 weeks of FMLA/CFRA leave during any 12-month period. MPAD will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy.

Parents who are both employees of MPAD and who are eligible for leave to care for a newborn child, for placement of a son or daughter with the employee for adoption or foster care, or in certain circumstances, for the care of the employee's parent with a serious health condition, are entitled only to a combined total of 12 work weeks of such a leave.

Employees whose 1) medical leave exceeds 12 weeks, unless specifically permitted by this Policy, 2) who do not have another District-approved leave, or 3) who do not return to work on the first work day following an approved FMLA/CFRA leave will be deemed to have voluntarily resigned their employment from MPAD.

#### **HEALTH INSURANCE DURING LEAVE**

While an employee is on FMLA/CFRA, MPAD will continue the employee's health benefits (and dependent coverage as applicable) during the leave period at the same level and under the same conditions as if the employee had continued to work. The maximum entitlement for continued health benefits is up to 12 weeks during a 12-month period of paid coverage.

Any share of health insurance premiums which are paid by the employee prior to FMLA/CFRA must continue to be paid by the employee during the leave. An employee who fails to make any payment of his or her premiums as described in this paragraph will be required to reimburse MPAD for any of those payments that may have been made by MPAD.

For leaves related to pregnancy and childbirth, the obligation to pay health benefits begins on the first day of concurrent PDL/FMLA leave and continues for a maximum of 12 work weeks. If the employee's leave lasts longer than 12 work weeks, the employee may continue her group health insurance coverage through MPAD in conjunction with COBRA guidelines by making monthly premium payments.

**BENEFITS DURING LEAVE**

Benefits such as vacation, sick time, and holidays are not earned during the leave. However, upon return from FMLA/CFRA, the employee will resume the accrual schedule at the same level and under the same conditions as if he or she had continued to work.

When available, employee benefit plans, such as life insurance, pension and retirement plans and supplemental unemployment benefit plans are provided under the same conditions as apply to unpaid leave taken for purposes other than FMLA/CFRA.

With respect to retirement plans, including pension plans, any period of unpaid FMLA/CFRA shall not be treated as or counted toward a break in service. Also, if the plan requires an employee to be employed on a specific date in order to be credited with a year of service for vesting, contributions or participation purposes, an employee on unpaid FMLA/CFRA on that date shall be deemed to have been employed on that date.

**USE OF VACATION AND SICK TIME**

***Please Note:*** If the employee is eligible for benefits from any disability insurance, such benefits from the applicable plans will be coordinated with the FMLA/CFRA leave. HR can assist in helping employees understand how these benefits work together.

| Type Of Leave                              | Vacation Pay Benefit   | Sick Time Benefit                      |
|--|------------------------|--|
| PDL  | Must use all available | *See Below                             |
| Bonding<br>(Baby/Adoption/<br>Foster Care) | Must use all available | N/A                                    |
| Family Care                                | **See Below            | In accordance with<br>sick time policy |
| Employee's Serious<br>Health Condition*    | **See Below            | *See Below                             |

**\*Sick Leave** - If an employee has accrued sick time, the employee is first required to use all accrued sick leave. If the employee applies for State Disability Insurance (SDI), MPAD will integrate the SDI payments and sick time accruals to compensate the employee at the same level as her/his regular pay until the employee's accruals are exhausted.

**\*\*Vacation Pay/Comp-time** - If an employee has accrued vacation pay or comp- time benefits, the employee, after the required sick time is exhausted, is required to use all accruals before being eligible for unpaid leave under this policy.

### **CERTIFICATION OF THE SERIOUS HEALTH CONDITION**

An employee seeking FMLA/CFRA for the employee's own serious health condition or because of the serious health condition of a family member must provide MPAD with a medical certification from his or her health care provider establishing the need for the leave. The employee should respond to such a request as soon as possible and at least within 15 calendar days of the request, or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification must be provided by using the **Certification of Health Care Provider** form.

Certification of the serious health condition must include: (a) the date when the condition began; and, (b) its expected duration. For medical leave for the employee's own medical condition, the certification must also include a statement that the employee is unable to perform work of any kind, or a statement that the employee is unable to perform the essential functions of the employee's position.

For a seriously ill family member, the certification must include a statement that the patient requires assistance, and that the employee's presence would be beneficial or desirable.

If the employee plans to take intermittent leave or work a reduced schedule, the certification must also include dates and the duration of treatment, and a statement of medical necessity for taking intermittent leave or working a reduced schedule.

MPAD has the right to ask for a second opinion, (for employees, not family members) if MPAD has reason to doubt the certification. MPAD will pay for the employee to get a certification from a second doctor, which MPAD will select. In case of a conflict between the original certification and the second opinion, MPAD will require the opinion of a third doctor. MPAD and the employee will jointly select the third doctor, and MPAD will pay for the opinion. This third opinion will be considered final.

Prior to returning from FMLA/CFRA for an employee's own serious health condition including pregnancy disability, the employee will be required to provide MPAD with a Physician's or Practitioner's Authorization to Return to Work form completed by the employee's health care provider releasing him or her to return to work.

### **REINSTATEMENT AFTER LEAVE**

An employee who takes leave under and meets the requirements of this policy will be able to return to the same job or a job with equivalent status, pay, benefits and other employment terms. The position will be the same or one that entails substantially equivalent skill, effort, responsibility and authority.

Upon completion of the leave, a written notice by the health care provider is required to authorize a return to work. Should the health care provider indicate physical limitations upon return to work, such limitations must be discussed with and approved by management. We are committed to engaging our employees in ongoing, meaningful dialog regarding modifications at work.

### **PROCEDURE FOR REQUESTING LEAVE**

Except where leave is not foreseeable, all employees requesting leave under this policy must submit the request in writing to their supervisor and to HR. When an employee plans to take leave under this policy, the employee must give 30 days notice. If it is not possible to give 30 days notice, the employee must give as much notice as is practicable. An employee undergoing planned medical treatment is required to make a reasonable effort to schedule the treatment to minimize disruptions to MPAD's operations.

If an employee fails to provide 30 days notice for foreseeable leave with no reasonable excuse for the delay, the leave request may be denied until at least 30 days from the date MPAD receives notice. While on leave, employees are requested to report periodically to HR regarding the status of the medical condition, and his or her intent to return to work.

**The provisions for leaves under this policy can be confusing. Employees are encouraged to seek additional information from HR.**

## **PREGNANCY DISABILITY LEAVE (PDL)**

### **ENTITLEMENT TO LEAVE**

MPAD provides and grants to pregnant employees the right to take a Pregnancy Disability Leave (PDL) during the period of time that a health care provider determines the employee is actually disabled by pregnancy or a related medical condition and is unable to perform the essential functions of her job or perform her duties without undue risk to herself or other persons for **up to** four (4) months. Pregnancy disability leave may be taken intermittently, or on a reduced hours schedule, as medically advisable.

A pregnant employee is entitled to transfer temporarily to a less strenuous or hazardous position or to less strenuous or hazardous duties if she so requests, the transfer request is supported by proper medical certification, and the transfer can be reasonably accommodated. An employee taking PDL not yet eligible for FMLA/CFRA is required first to use all but the equivalent of one week's scheduled sick time benefit for her leave. After all but one week's scheduled sick time has been used, an employee may use any accrued and unused vacation time.

A woman who takes PDL for up to four (4) months may also be entitled to take an additional twelve (12) weeks of CFRA leave to bond with the baby if she meets requirements for CFRA leave. PDL and FMLA run concurrently. (See FMLA/CFRA policy for more information.)

### **CERTIFICATION**

Any request for a Pregnancy Disability Leave must be supported by a health care provider's certification, which shall provide the following information: 1) the date on which the employee became disabled due to pregnancy; 2) the probable duration of the period or periods of disability; and 3) an explanatory statement that, due to the disability, the employee is unable to work at all or is unable to perform any one or more of the essential functions of her position without undue risk to herself, her pregnancy, or to other persons.

In the case of a Pregnancy-Disability transfer, the medical certification shall provide the following information: 1) the date on which the need to transfer became medically advisable; 2) the probable duration of the period or periods of the need to transfer; and 3) an explanatory statement that, due to the employee's pregnancy, the transfer is medically advisable. Upon expiration of the time period for the leave or transfer estimated by the health care provider, MPAD may require the employee to provide another medical certification if additional time is requested for leave or transfer.

### **NOTIFICATION**

In instances of other than medical emergencies, the employee must provide thirty (30) days notice in advance of the date the leave is to begin and the estimated date upon which the employee will return to work. If it is not practicable to give thirty (30) days advance notice of the need for leave or transfer, the employee must notify MPAD as soon as practicable after she learns of the need for the pregnancy disability leave or transfer.

### **BENEFITS DURING LEAVE**

Subject to the terms, conditions, and limitations of the applicable plans, health insurance premiums (and dependent coverage as applicable) will continue to be paid by MPAD to the same degree it was provided before the leave began in accordance with the FMLA/CFRA policy or, for employees not yet eligible for FMLA/CFRA through the end of the month which the leave began plus one calendar month. At that time you will become responsible for the full costs of these benefits if you wish coverage to continue (see COBRA policy). When you return from the leave, benefits will again be provided by MPAD according to the applicable plans. If you do not return to work from an unpaid Pregnancy Disability Leave, or return for less than 30 days and then resign, MPAD requires you to reimburse MPAD the amount it paid for your health insurance premium during the leave period.

Benefits accrual such as vacation, sick time, or holiday benefits will be suspended during the leave

and will resume upon return to active employment.

#### **RETURN TO DUTY**

An employee who has taken a PDL must notify MPAD at least three (3) days before her scheduled return to work or, as applicable, transfer back to her former position. An employee who timely returns to work at the expiration of her PDL will be reinstated to her former position whenever possible. If, consistent with applicable laws, MPAD is unable to reinstate the employee to her former position, she will be reinstated to a comparable position, if possible.

Upon completion of the leave, a written notice by the health care provider is required to authorize a return to work. Should the health care provider indicate physical limitations upon return to work, such limitations must be discussed with and approved by management. We are committed to engaging our employees in ongoing, meaningful dialog regarding modifications at work.

#### **LACTATION ACCOMMODATION**

MPAD will provide reasonable lactation accommodation for employees who wish to express breast milk for their infant when they return to work. Employees may use paid rest break times provided by MPAD. If the paid rest period is insufficient time, you may take additional time on an unpaid basis. MPAD will provide a private place to express milk in close proximity to the employee's work area, or the employee's normal work area may be used if it allows privacy.

#### **PERSONAL LEAVE**

MPAD may provide a leave of absence without pay to employees who wish to take time off from work duties to fulfill personal obligations and have exhausted their sick or vacation accruals. Regular full-time employees are eligible to request personal leave as described in this policy. As soon as you become aware of the need for a personal leave of absence, for up to and including five (5) days, you should request a leave from your Deputy General Manager. Personal Leave for six (6) days to thirty (30) days must be approved by the General Manager.

Requests for personal leave will be evaluated based on a number of factors, including anticipated workload requirements and staffing considerations during the proposed period of absence. Personal leave may be granted for a period of up to 30 calendar days at one time. If this initial period of absence proves insufficient, consideration will be given to a written request for an extension of no more than 30 calendar days.

Subject to the terms, conditions, and limitations of the applicable plans, health insurance premiums (and dependent coverage as applicable) will continue to be paid by MPAD to the same degree it was provided before the leave began through the end of the month in which the leave began. At that time you will become responsible for the full costs of these benefits if you wish coverage to continue (see COBRA policy). When you return from a Personal Leave, benefits will again be provided by MPAD according to the applicable plans.

If you do not return to work from an unpaid Personal Leave, or return for less than 30 days and then resign, MPAD requires you to reimburse MPAD the amount it paid for your health insurance premium during the leave period.

Benefits accrual such as vacation, sick time, or holiday benefits will be suspended during the leave and will resume upon return from leave.

Employees who accept other employment during the approved leave and/or employees who fail to report to work promptly at the expiration of the approved leave period will be considered to have resigned from MPAD.

#### **MEDICAL LEAVE**

If an employee is requesting a Personal Leave of Absence due to the employee's own medical condition, a physician's statement must be provided verifying the medical condition and its beginning and expected ending dates. Any changes in this information must be promptly reported to management. At the conclusion of the leave, a written notice by the health care provider is required to authorize a return to

work. Should the health care provider indicate physical limitations upon return to work, such limitations must be discussed with and approved by management.

#### **DISASTER RELIEF ASSISTANCE LEAVE**

MPAD allows full-time regular employees up to fourteen (14) calendar days to assist in providing relief in times of disaster under certain conditions. MPAD retains the right to determine what constitutes a disaster. The employee must be deployed to the site of disaster relief activities as a participant of a recognized organization providing disaster relief (e.g. Red Cross, Salvation Army, etc.). Such deployment may be out of state or within California. Within two (2) weeks of completing deployment, the employee must provide written documentation of his/her deployment from the organization. Personal leave for reasons of deployment must be approved by the General Manager.

#### **BEREAVEMENT LEAVE**

A leave of absence with pay for up to 3 days will be granted in the event of death of an immediate family member of an employee (immediate family members are defined as spouse or domestic partner, child, parent, sibling, grandparent, grandchild, and all "step" and "in-law" variations of the preceding list, in addition to an individual who was a member of your immediate household at the time of death). With the approval of the General Manager, this leave may be extended with or without pay in cases of great distance or severe emotional hardship.

With prior approval, time off without pay may be arranged for an employee who wishes to attend the funeral of other relatives or close friends or other person to whom you may be reasonably deemed to owe respect.

#### **JURY DUTY**

MPAD encourages you to fulfill your civic responsibilities by serving on a jury or as a witness when required and allows all employees time off for these purposes. Jury duty is provided on a paid basis up to 40 hours for regular full-time employees. If you receive notice to report for jury duty, please notify management immediately so arrangements can be made to accommodate your absence. Witness leave is provided on an unpaid basis. You must present the Summons for Jury Duty to your supervisor prior to the beginning date of such duty. Of course, you are expected to report for work whenever the court schedule permits. Any payment received except for mileage reimbursements for jury duty must be turned over to the MPAD.

#### **MILITARY LEAVE**

An MPAD employee granted temporary military leave for active-duty training or extended military leave is entitled to receive no more than the employee's regular MPAD pay for a period of 30 calendar days for any one military leave of absence OR during any one MPAD fiscal year, provided that the employee has completed 12 months of continuous service with MPAD immediately prior to the granting of the leave (all prior full-time military service shall be included in calculating this MPAD service requirement) and provided that the aggregate of payments for temporary military leave, extended military leave, and military leave for physical examination do not exceed 30 calendar days' pay in any one MPAD fiscal year.

Should an employee have orders for a period that extends from one year to the next, the employee will be paid for 30 days for the one leave of absence regardless of the fact that the leave spans more than one year.

An employee granted physical examination leave is entitled to receive the employee's regular MPAD pay provided:

1. the physical examination is a pre-induction or pre-enlistment physical examination required to fulfill a commitment under a Selective Service or comparable law, or during a period of war or comparable national emergency; and
2. the aggregate of payments for temporary military leave, extended military leave, and military leave for physical examination do not exceed 30 calendar days' pay in any one



MPAD fiscal year.

Time off for other physical examinations in connection with military service may be charged to accrued sick leave, accrued vacation leave, or accrued compensatory time off, or shall be without pay.

An employee granted military leave for emergency National Guard duty is entitled to receive no more than the employee's regular MPAD pay for a period of 30 calendar days for any one military leave of absence OR during any one MPAD fiscal year. An employee is eligible for pay regardless of the length of MPAD service, and such pay is in addition to any MPAD payment for temporary military leave for active-duty training, extended military leave, and military leave for physical examinations.

Should an employee have orders for a period that extends from one year to the next, the employee will be paid for 30 days for the one leave of absence regardless of the fact that the leave spans more than one year because they are entitled to payment for any one military leave of absence.

Leave granted for reserve training or other inactive duty is without pay.

An employee who is not eligible for military leave with pay, or who has exhausted the paid portion of the military leave, may have such absence charged to accrued paid time off, or the military leave may be without pay.

Employees inducted into the U.S. Armed Forces will be eligible for re-employment after completing military service, provided:

1. you show your orders to your supervisor as soon as you receive them.
2. you satisfactorily complete your active duty service.
3. you enter the military service directly from your employment with MPAD.
4. you apply for and are available for re-employment within ninety (90) days after discharge from active duty. If you are returning from up to six (6) months of active duty for training, you must apply within thirty (30) days after discharge.

#### **MILITARY RESERVES OR NATIONAL GUARD LEAVE**

Employees who serve in U.S. military organizations or state militia groups may take the necessary time off without pay to fulfill this obligation, and will retain all of their legal rights for continued employment under existing laws. These employees may apply accrued and unused vacation time to the leave if they wish; however, they are not obliged to do so.

You are expected to notify your supervisor as soon as you are aware of the dates you will be on duty so that arrangements can be made for replacement during this absence.

#### **LEAVE FOR MILITARY SPOUSES**

MPAD will grant up to ten days of unpaid leave to the "qualified spouse" of a member of the Armed Services, National Guard or Reserves who is on leave from deployment during a period of military conflict.

In order to be considered a "qualified spouse", the employee must:

1. work no less than an average of 20 hours a week;
2. provide the employer with a notice of intent to take the leave within two business days of receiving official notice that his or her spouse will be on leave from deployment during the time that the employee requests the leave; and
3. submit written documentation to the employer that the spouse will be on leave from deployment during the time that the employee has requested the leave.

## **PARENTS'/GUARDIANS' SCHOOL LEAVE**

Any employee who is a parent or a guardian of a child, or grandparent who has custody of a grandchild in kindergarten through twelfth grade, or whose child or grandchild is attending a licensed day care facility, may take up to forty (40) hours each calendar year, not exceeding eight (8) hours in any calendar month of the calendar year, to participate in activities of the school or licensed day care facility of any child or grandchild if the employee, prior to taking the time off, gives reasonable notice to MPAD.

The employee does not have to be residing with the child in order to be entitled to parent's leave. However, the employee must have custody of the grandchild in order to be eligible for grandparent's leave. The employee may use parent's/guardian's leave for any type of school or licensed day care facility function. Employees may use vacation time during parent's/guardian's leave. If an employee does not have vacation time available, the employee may take unpaid leave.

An employee who has a child entering Kindergarten or First Grade may take one (1) day on the First Day of School, designated by the school district. Employees who attend the First Day of School with their child will be paid the hours regularly scheduled to work that day.

## **SCHOOL DISCIPLINE LEAVE**

Any employee who is the parent or guardian of a child and is actually living with the child, or grandparent who has custody of a grandchild is eligible for a school-discipline leave.

The employee must have received a written notice from the principal of the school requesting his or her attendance at a conference to discuss the child's/grandchild's suspension from school. School-discipline leave is not available to employees who voluntarily consult with school administrators regarding a child's/grandchild's performance in school.

MPAD may require the employee to provide a copy of the notice received from the school, prior to granting school-discipline leave, and may require documentation from the school as proof that the visit took place. MPAD may ask the employee or the principal to briefly reschedule the conference if the employee's attendance at work is essential at the time originally scheduled. There is no limit to how frequently employees may be provided school-discipline leave. Employees may use vacation time during school-discipline leave. If an employee does not have any vacation time available, the employee may take unpaid leave.

## **EMERGENCY DUTY LEAVE**

MPAD will provide unpaid leave to volunteer firefighters, reserve peace officers, and emergency rescue personnel when they are required to perform emergency duty. You are expected to notify your supervisor as soon as you are aware of the need to perform emergency duty. "Emergency rescue personnel" is defined as any person who is an officer, employee, or member of a fire department or fire protection or firefighting agency of the federal government, the State of California, a city, county, city and county, district, or other public or municipal corporation or political subdivision of California, or of a sheriff's department, police department, or a private fire department, whether that person is a volunteer or partly paid or fully paid, while he or she is actually engaged in providing emergency services. Public safety agencies and providers of emergency medical services are exempt from this requirement if the employee's absence would hinder the availability of public safety or emergency medical services.

## **Domestic Violence/Sexual Assault Leave**

In the event that an employee is the victim of domestic violence or sexual assault, the employee may take time off work without pay, without fear of retribution or discrimination, to obtain or attempt to obtain any relief including, but not limited to, a temporary restraining order, a restraining order, or other injunctive relief, or to seek medical attention for injuries caused by the abuse or assault, to obtain the services of an assault program, to obtain psychological counseling, or to participate in actions that will increase safety against future occurrences of domestic violence or sexual abuse.

Affected employees must give MPAD reasonable notice that they will be absent due to one of the above purposes. In the event of an emergency court appearance or other incident that does not allow for prior notice, the employee must provide MPAD with documentary evidence that their absence was required for any of the above reasons such as a copy of the police report, court order or documentation from a medical professional, counselor or advocate.

Employees may use any accrued PTO for such absences, if they wish.

### **Leave To Appear In Court**

Employees may take unpaid time off to appear in court to comply with a subpoena or other court order as a witness in any judicial proceeding.

Affected employees must give MPAD reasonable notice that they will be absent due to one of the above purposes. In the event of an emergency court appearance or other incident that does not allow for prior notice, the employee must provide MPAD with documentary evidence that their absence was required, such as a police report, court order or documentation from a medical professional, counselor or advocate.

Employees may use any accrued vacation for such absences, if they wish.

### **Leave For Victims Of Crime**

Any employee who is the victim of a crime, an immediate family member of a victim, a registered domestic partner of a victim, or the child of a registered domestic partner of a victim, may be absent from work to attend judicial proceedings related to that crime.

Before the absence, the employee must provide MPAD with a copy of the notice of each scheduled proceeding unless advance notice is not feasible. If that is the case, the employee must provide documentary evidence that their absence was required to attend these judicial proceedings, such as notice from the court or government agency setting the hearing, the district attorney or prosecuting attorney's office, or the victim/witness office advocating on behalf of the victim.

Employees may use any accrued PTO for such absences, if they wish.

### **Catastrophic Leave Donation**

The Monterey Peninsula Airport District offers a Catastrophic Leave-Donation Program to give employees a chance to support their co-workers who are facing a major health crisis, whether their own or that of a family member, as well as a death in the employee's immediate family. The program allows employees to provide assistance in the form of donated vacation, sick or compensation time. While the program establishes a procedure for donation, participation is entirely voluntary.

An employee shall be faced with or have incurred either a catastrophic illness or injury in order to be eligible for this program. The Human Resources Manager and the Department Manager shall determine individual eligibility status. "Catastrophic" means: the employee is unable to perform the duties of his position because of a serious illness or accident or will require a lengthy recovery; there is a serious illness or accident which will require a lengthy recovery in the employee's immediate family; or there is a death in the employee's immediate family.

The employee requesting the donation of vacation, sick or compensation time hours must have reached zero balances during the illness or recovery period in order to be eligible. The illness or recovery time must be a minimum of two-weeks for the employee to be eligible. The maximum hours the employee may use will not exceed twelve (12) weeks. The Human Resources Manager and the Department Manager will evaluate each request.

The employee who donates the hours ("the donor"): 1. must have sufficient hours to donate. 2. shall not have any portion of the hours returned to him/her once the donated hours are placed in the donation account; and 3. must relinquish all claims to the donated hours in the future and upon separation of

employment with the Monterey Peninsula Airport District.

**LEAVE SUMMARY CHART**

| Time Off   | Medical Leave:<br>Work Related  | FMLA/CFRA<br>Family Care<br>Medical Leave   | Pregnancy<br>Disability Leave   | Personal<br>Leave*   | Military<br>Leave   | Bereavement<br>Leave          | Jury Duty<br>Leave  | Witness Duty<br>Leave   |
|--|---|---|---|--|---|-------------------------------|---|---|
| How do I qualify?  | Injured on the job  | Employed by MPAD for at least 12 months and worked at least 1250 hours in last 12 months  | Designated as "disabled" due to pregnancy by health care professional   | Employed one year, Must be approved by General Manager                           | According to official orders  | For Death in immediate family | Called by courts to serve   | Subpoenaed by court   |
| What is the maximum term?  | Determined by Health Care Provider  | 12 Weeks in a 12 month period   | 4 months per pregnancy  | 30 calendar days at a time   | As required by law  | 3 days                        | As required by court  | As required by court  |
| Can the leave be used for other than employee's own illness or personal needs? | No  | For serious health conditions of immediate family or for birth, adoption or placement of child  | No, and only for pregnancy disability   | Yes, if approved by General Manager  | No  | No                            | No  | No  |
| How long are health insurance premiums paid by District?                       | Balance of month in which injury occurs plus one month, unless also covered by FMLA/CFRA in which case 12 weeks maximum | Entire time covered by FMLA (up to 12 weeks maximum in 12 month period)   | Balance of month in which leave began plus one month, unless also covered by FMLA/CFRA in which case 12 weeks maximum | To end of month in which leave begins.   | To end of month in which leave begins. For leaves of 17 days or less, covered entire time | Covered for entire leave.     | To end of month in which leave begins. For leaves of 17 days or less, covered entire time | To end of month in which leave begins. For leaves of 17 days or less, covered entire time |
| Does vacation accrue?  | No  | No  | No  | No   | No  | Yes                           | Yes   | Yes   |
| Does sick leave accrue?  | No  | No  | No  | No   | No  | Yes                           | Yes   | Yes   |
| Does employee receive holiday pay?   | No  | No  | No  | No   | No  | Yes                           | Yes   | Yes   |
| Do District's contributions to PERS continue?                                  | Yes   | No  | No  | No   | No  | Yes                           | Yes   | Yes   |
| Are seniority & wage adjustment dates affected?                                | No  | No  | No  | No   | No  | No                            | No  | No  |
| Must employee use sick time benefits?  | May use sick time benefits in coordination with SDI payments  | Must use all sick time for own serious health condition. Up to 1/2 of sick leave may be used for family member's serious health condition | Must use all sick time, benefits in coordination with SDI payments  | May use sick benefits if for medical reasons either personal or immediate family | No  | No                            | No  | No  |
| <b>Pay when out on Leave</b>   |   |   |   |  |   |                               |   |   |
| What State Insurance might be available?                                       | SWC   | SDI, PFL  | SDI, PFL  | SDI, PFL   | None  | None                          | None  | None  |
| What MPAD insurances might be available?                                       | Regular medical coverage for other conditions if COBRA is elected   | Regular medical coverage continues  | Regular medical coverage if also covered by FMLA and/or if COBRA is elected   | Regular medical coverage if COBRA is elected                                     | Regular medical coverage for leaves of 17 days or less or if COBRA is elected             | Regular medical coverage      | Regular medical coverage for leaves of 17 days or less or if COBRA is elected             | Regular medical coverage for leaves of 17 days or less or if COBRA is elected             |
| What MPAD paid leave time can be used?   | After sick time is exhausted, must use all vacation time  | After sick time is exhausted, must use all vacation time  | After sick time is exhausted, may use all vacation time   | Must use all available vacation time   | N/A   | Vacation or Personal Benefits | Paid up to 40 hours, afterwards Vacation  | Vacation or Personal Benefits   |
| *Includes Medical not covered in other Medical leaves                          |   |   |   |  |   |                               |   |   |

**COMPENSATION**

**REST AND MEAL PERIODS**  
*(Non-exempt positions)*

**Rest Period (breaks):** Employees are authorized and permitted to take one net ten-minute rest period during each four-hour work period, or major fraction thereof. Rest periods are not provided if the total daily work schedule is less than 3½ hours. To the extent possible, rest periods are to be taken in the middle of work periods.. Employees are/not required to clock in and out for rest periods and/but since this time is counted and paid as time worked, you must not be absent from your workstation beyond the allotted time.

**Meals:** Employees in non-exempt positions who are scheduled for shifts in excess of five hours are provided one unpaid meal period of 30 minutes in length where the employee is relieved of all active responsibilities and restrictions. Meal periods are unpaid and as such, employees are required to record

on their timesheet in and out times for meal periods. Employees will not be retaliated against for taking meal periods. Employees may voluntarily waive their meal periods only under the following conditions (waivers are available from HR):

1. If your work shift is completed in six hours, you may waive your meal period.
2. If you work a long shift of more than 10 hours, you may waive one meal period.

**General to both:** Each day you are unable to take your allotted break(s) or meal period(s), it is your responsibility to notify your supervisor at least two hours prior to the end of your shift.

#### **TIMEKEEPING**

##### **(Non-exempt positions)**

Accurately recording time worked is the responsibility of every non-exempt employee. Federal and state laws require MPAD to keep an accurate record of time worked in order to calculate pay and benefits. Time worked is all the time actually spent on the job performing assigned duties. Please accurately record the time work begins and ends, as well as the beginning and ending time of each meal period. Also record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime and "comp" time work must always have prior approval. Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in corrective action, up to and including termination of employment.

You should not start work more than seven minutes prior to your scheduled starting time or work more than seven minutes after your scheduled stop time.

It is each employee's responsibility to sign the time record to certify the accuracy of all time recorded. In addition, if corrections or modifications are made to the time record, both the employee and management must verify the accuracy of the changes by initialing the time record.

#### **ALTERNATIVE WORK SCHEDULES**

##### **(Exempt and Non-exempt positions)**

The purpose of offering alternative work schedules is to provide a valuable benefit to the employee while not adversely affecting the operation of the Monterey Peninsula Airport District

It is MPAD policy that the option to work an alternative work schedule is voluntary by the employee and must be approved by the employee's department Deputy General Manager. The Deputy General Manager at his/her discretion may approve or deny the employees request to work a 4/10 or 9/80 alternate work schedule. Any agreement to provide a 4/10 or 9/80 work schedule shall be accomplished within the guidelines set forth in this policy.

It is intended that the 4/10 or 9/80 work schedule will enable employees to work alternate work hours to accommodate departmental needs as well as the employee's personal needs. Employees requesting to work an alternative work schedule must complete a "Request for Alternative Work Schedule" form and must have it approved by their department Deputy General Manager. Once approved, and prior to the employee beginning the alternative work schedule, the Human Resources/Administrative Manager will review this policy with the employee and the employees's Deputy General Manager and determine an agreeable work schedule in compliance with the Fair Labor Standards Act (FLSA). Additionally, the employee must start his/her alternative work schedule at the beginning of a pay period.

The 4/10 or 9/80 work schedule must not adversely affect the department's ability to operate or maintain customer service needs. If the work schedule adversely impacts the employee's performance, attendance or the departments operation, the employee's Deputy General Manager, with a 14 day notice to the employee, may discontinue the employee's authorization to participate in the 4/10 or 9/80 program.

**Definition of a 9/80 Work Week:** The 9/80 alternate work schedule shall consist of eight (8) work days

of nine (9) hours and one work day of eight (8) hours for a total of eighty (80) hours during two (2) consecutive work weeks. The eight (8) hour work day must be the same day of the week as the employee's additional scheduled day off (example, if Monday is the employee's additional day off, then the following Monday will be the employee's eight (8) hour work day). The employee will have three days off every other week.

Under the 9/80 schedule, one calendar week shall consist of 44 hours (four 9-hour days and one 8-hour day) and the alternating calendar week will consist of 36 hours (four 9-hour days and one additional day off).

Under the Fair Labor Standards Act (FLSA) the 9/80 workweek is defined as "a fixed and regularly recurring period of seven consecutive 24-hour periods (168 hours)." The 9/80 work week begins on the employee's 8 hour work day, exactly four (4) hours after the scheduled start time and ends exactly three (3) hours and fifty-nine (59) minutes after the scheduled start time on the same day the following week.

Once the employee's work schedule has been determined, an employee may not alter their 9/80 work schedule (example: additional day off or different eight (8) hour work day), without following the approval process as noted in this policy. If the employee decides to return to a regular work schedule (example: five (5) work days and two (2) days off) she/he must request this change, in writing, 14 days in advance of returning to a regular work schedule.

**Definition of a 4/10 Work Week:** A 4/10 alternative work schedule is four (4) work days of ten (10) hours and three (3) days off in a work week. MPAD's definition of a work week for purposes of a 4/10 work schedule is 12:00 a.m. on Sunday and ends seven consecutive days later on Saturday at 11:59 p.m.

**Holidays:** Should the Holiday fall on the employees eight (8) hour work day, the employee will receive eight (8) hours Holiday pay. Should the Holiday fall on the employees nine (9) hour work day, the employee will receive nine (9) hours Holiday pay. Should the Holiday fall on the employees ten (10) hour work day, the employee will receive ten (10) hours Holiday pay.

**Vacation and Sick Pay:** Time off from work for vacation, sick, or other paid leave will be charged eight (8) hours for time taken on a scheduled eight (8) hour work day. Time off from work on a scheduled nine (9) hour work day will be charged nine (9) hours. Time off from work on a scheduled ten (10) hour work day will be charged ten (10) hours.

**Overtime:** For purposes of the 9/80 work schedule, non-exempt employees shall receive overtime pay or compensatory time off at time and one-half (1 ½) for all hours worked in excess of 44 or 36 hours in their respective scheduled workweek. For purposes of the 4/10 work schedule, employees shall receive overtime pay or compensatory time off at time and one-half (1 ½) for all hours worked over 40 hours in their work week.

The employee's 9/80 work weeks will not generally correspond with MPAD's pay periods. Therefore, adjustments to overtime compensation due in accordance with the Fair labor Standards Act cannot be calculated until the completion of the employee's workweek.

**Exempt Employees:** Since there is no limitation on the hours worked by an exempt employee, and no overtime pay is required under FLSA, there are no special procedures for beginning an alternative work schedule. With approval, the exempt employee can begin working the alternative work schedule at the beginning of any week.

**OVERTIME**  
**(Non-exempt positions)**

Overtime is paid to employees in non-exempt positions according to the Fair Labor Standards Act (FLSA), which is subject to change. "Comp" time may be provided in lieu of overtime pay for employees in non-exempt positions.

When operating requirements or other needs cannot be met during regular working hours, employees in non-exempt positions will be assigned or given the opportunity to volunteer for overtime work assignments. All overtime work must receive management's prior authorization. Overtime assignments will be distributed as equitably as practical to all employees in non-exempt positions who are qualified to perform the required work.

As required by law, overtime pay is based on actual hours worked. For the purpose of this policy, time off on a holiday will be defined as actual hours worked. Time off on vacation leave, sick leave or any leave of absence will not be considered as actual hours worked for purposes of overtime and "comp" time calculations.

Overtime and Comp Time are computed as outlined below:

|                       |                                 |
|-----------------------|---------------------------------|
| <b><u>Weekly:</u></b> | Up to 40 hours – straight time  |
|                       | Over 40 hours – time & one-half |

The workweek at MPAD begins at 12:00 a.m. on Sunday and ends seven consecutive days later on Saturday at 11:59 p.m.

Failure to work scheduled overtime or overtime worked without prior authorization (written or verbal) from management may result in corrective action, up to and including termination of employment.

**COMPENSATORY TIME OFF (CTO)**  
**(Non-exempt positions)**

Non-exempt employees may request "Comp" time at time and one-half in lieu of overtime pay. All "comp" time must receive your supervisor's prior authorization. To take "comp" time, you should request approval from your supervisor as far in advance as possible. All requests will be reviewed based on a number of factors, including business needs, staffing requirements, order of requests and possibly seniority.

The maximum accrued "comp" hours that you may have at any one time will not exceed 240 hours. If the earned but unused "comp" hours reach this maximum, additional hours will be "capped" and any overtime worked will be paid at overtime rates.

Upon separation of employment, you will be paid for unused "comp" time.

**MAKE-UP TIME**  
**(Non-exempt positions)**

With prior approval from your Supervisor, you may request time off for personal obligations (such as child care or doctor's appointments) and make-up that time in the same workweek without daily overtime obligations only if all of the following 5 points are met:

1. You must **make a request to your supervisor** for **each time** you want to take make-up time.
2. Management must approve your request to use the make-up time. (Requests will be evaluated based on a variety of factors including staffing needs, frequency of requests, and overtime obligations.)
3. The time can only be made-up in the same workweek the time was lost. (For example, if you request to leave early on a Friday and would like to make-up that time on the next Monday, your request will be denied because the make-up time is not within the same workweek.)
4. The total hours worked for the workweek must not exceed 40 hours. (Or overtime will be incurred.)
5. If you take time off and are unable to make-up the time for any reason the hours missed will be unpaid. Conversely, if you work make-up time before you actually take the time off, you must

take that time off, even if you not longer need to take the time off.

*\*Please note, MPAD may not encourage or otherwise solicit an employee to utilize make-up time. Additionally, MPAD may not require an employee to work extra hours on one day and then require the employee to use make-up time to avoid paying overtime – make-up time is only for the employee's "personal obligations."*

## **PAYDAYS**

All employees are paid twice monthly. Pay periods cover the 1st through the 15th with the payday on the 15th, and from the 16th through the last day of the month with the payday on the last day of the month. Your paycheck will include earnings for all work performed through the end of the payroll period. If a payday falls on a non-business day, generally, the payday will fall on the business day preceding the regular payday.

## **PAY DEDUCTIONS**

MPAD is required by law to make certain deductions from your paycheck. Among these are applicable federal and state taxes. We are also required to deduct Social Security taxes up to a specified limit. MPAD matches the amount of Social Security taxes paid by each of our employees. If you have questions concerning why deductions were made from your paycheck or how they were calculated, management can assist in having your questions answered.

## **CORRECTIONS TO PAYCHECKS**

MPAD makes every effort to provide accurate paychecks on the posted pay days. If there is an error in a paycheck, whether in hours paid, rate of pay, deductions taken or not taken, or any other discrepancy, the employee must bring it to the attention of his/her supervisor immediately for review and/or correction. Should the supervisor not be available, HR should be contacted. Failure to report the discrepancy may result in a delay of payment due.

## **OTHER TYPES OF PAY**

### **CALL-BACK PAY FOR NON-EXEMPT MAINTENANCE EMPLOYEES**

When an employee is called back to work on other than a scheduled basis, such employee shall be paid at one and one-half (1.5) times the established rate of pay for the hours worked, commencing from the employee's arrival at Monterey Peninsula Airport and ending with the employee's departure, but in no event for less than two (2) hours. An employee called back more than once during the minimum two (2) hour period shall not receive additional pay for those additional call backs.

In the event the call back situation is handled via a telephone call and actual call back is not required, the employee will be compensated at a flat rate of ten dollars (\$10.00) per occurrence.

### **ON-CALL PAY FOR NON-EXEMPT MAINTENANCE EMPLOYEES**

MPAD shall provide on-call pay compensation at the flat rate of two hundred dollars (\$200.00) for the one week (7-day) period that an employee is assigned to be on an "on-call status" and is expected to be capable of arriving at the work site and available for work within one hour of being contacted. MPAD shall provide additional on-call pay compensation at the flat rate of fifty dollars (\$50.00) per day for each holiday during the one week (7-day) period that the employee is so assigned. On call personnel will be selected preferably from volunteers. If an on-call employee is sick or unable to be on-call one day during the assigned 7-day period \$20 will be deducted for each day during the 7 day period the employee is unable to respond to report to work.

Selection will be made by the Maintenance Supervisor. Such selection is subject to the approval of the Department Manager. Such compensation shall not be included in any overtime calculations per FLSA.

Personnel selected must, in the opinion of the supervisor, be qualified to perform all emergency tasks required. In the event there are not a sufficient number of volunteers, qualified employees will



be selected. Such employees will remain on call for a period of one week; such period to coincide as nearly as possible with that of a bi-weekly pay period. On call assignments shall be rotated by seniority among qualified workers.

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## HEALTH AND SAFETY

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MPAD is committed to providing a work environment that is safe and healthful. We have established an Illness and Injury Prevention Program (IIPP), to support our safety efforts by identifying and correcting workplace safety issues and educating our employees.

### WORKPLACE VIOLENCE

MPAD is committed to providing a safe, violence-free workplace and strictly prohibits violent behavior or threats of violent behavior by employees, members, visitors or anyone else on MPAD property. MPAD 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.

MPAD's policy provides "zero tolerance" for actual or threatened violence against co-workers, visitors, or any other persons on MPAD premises or attending MPAD business-related activities. Employees are required to report to their supervisor any incident involving a threat of violence or act of violence, or any violation of this policy, immediately.

Workplace violence includes:

1. Threats of any kind (*including those that are meant as "humorous" or a "joke"*);
2. Threatening or violent behavior, such as intimidation of or attempts to instill fear in others;
3. Other behavior that suggests a propensity toward violence. This can include belligerent speech, excessive arguing or swearing, theft or sabotage of MPAD property, or a demonstrated pattern of refusal to follow MPAD policies and procedures;
4. Defacing MPAD property or effecting physical damage to the facilities; or
5. Bringing unauthorized weapons or firearms of any kind on District premises, in District parking lots, or while conducting District business.

If any employee observes or becomes aware of such actions or behavior by an employee, member, visitor, or anyone else, they are required to notify their supervisor immediately, and/or call the MPAD Police or 911 as appropriate. Further, an employee should notify HR if any restraining order is in effect, or if a potentially violent non work-related situation exists which could result in violence in the workplace.

All reports of workplace violence will be taken seriously and will be investigated promptly and thoroughly. In appropriate circumstances, MPAD will inform the reporting individual of the results of the investigation. To the extent possible, MPAD will maintain the confidentiality of the reporting employee and of the investigation, but may need to disclose results in appropriate circumstances in order to protect individual safety. MPAD will not tolerate retaliation against any employee who reports workplace violence.

If MPAD determines that workplace violence has occurred, MPAD will take appropriate corrective action. The appropriate corrective action will depend on the particular facts but may include written or oral warnings, probation, reassignment of responsibilities, suspension, or termination. If the violent behavior is that of a non-employee, MPAD will take appropriate corrective action in an attempt to ensure that such behavior is not repeated.

### SAFETY RULES

MPAD is concerned with the health and safety of every employee and customer. SAFETY IS EVERYONE'S RESPONSIBILITY! All employees are required to be alert to potential hazards, be well informed about specific safety requirements of their job, and to adhere to established Safety Rules.

For our safety program to be successful, every employee must participate and comply fully with the standards and practices of MPAD to promote safety in the workplace.

If injuries occur on the job, no matter how slight, report them immediately to your supervisor. If you see unsafe conditions in any District location, please report them IMMEDIATELY to management so they can be corrected. Employees who report unsafe work conditions or practices may do so without fear of reprisal. In addition, follow these safety guidelines which are based on the experience and suggestions of past and current employees in many industries which can be used at work, home or at any time they can be of benefit.

1. Whether anyone is hurt or not, immediately report all accidents to management. In case of injury, seek first aid at once.
2. A good worker is a safe worker. Be sure to know the safe way to perform any job given to you. If you have any doubt about the safety of a practice or procedure, talk to management.
3. Horseplay and practical jokes are dangerous and against the rules at MPAD.
4. Lift properly. Keep your back straight, then squat down at the knees to reach the object being lifted. Do not twist your body when lifting. If it is necessary to turn, shift your feet. Do not attempt to lift heavy objects alone. Get help!
5. Prevent slips and falls. Watch for spills or loose objects on floors. Clean up spills and pick up debris immediately.
6. Electrical cords are hazards. Do not allow cords to extend across doorways, aisles or other walkways. When removing plugs from receptacles, grasp the plugs, not the cords.
7. Must use and wear special safety equipment wherever provided.

#### **ASBESTOS NOTIFICATION**

California Health and Safety Code requires that you be notified that certain MPAD buildings built prior to 1979 were built with some asbestos-containing construction material (ACM). ACM (e.g. floor or ceiling tiles, exterior coverings, and insulation) pose no significant health hazard if they are not disturbed. Therefore, when conducting any maintenance on an ACM building, it is important that you do not drill, scrape, sand, attempt to remove or in any way disturb possible ACM.

When authorized repair or remodeling is performed in an ACM building, strictly regulated procedures must be followed to prevent release of asbestos. Please report immediately any incident that you believe may disturb asbestos construction materials. For more information about a particular building, or to report an asbestos concern, contact your supervisor or the Deputy Manager of Operations.

#### **SECURITY**

As an employee of MPAD, one of your primary responsibilities is the protection of our customers, their property, and the assets of MPAD. This effort requires each employee's full dedication.

The following information provides a number of ideas about what you can do to assist in the security of our grounds and buildings. While no one expects you to be an expert in security, your awareness and assistance will be a tremendous asset to this effort.

##### **What You Should Do**

1. If you notice anyone that appears to be acting suspiciously, report them to your supervisor or MPAD police immediately. Suspicious activity includes someone waiting or loitering in an area not designed for that purpose, i.e.: a customer area, parking lot, or other public or restricted area. If you come upon an individual who looks surprised or nervous to see you, report them.
2. If you see a non-employee in an area designed for employees only, they should report them.
3. If you hear any loud or unusual noises, report them. This would include mechanical noises,

alarms, loud yelling, etc.

4. If you are ever confronted by a thief, don't try to be a hero! Give that person everything he/she wants. You and your safety are more important to us than anything the thief may get away with.

## **EMERGENCY PROCEDURES**

### **FIRE**

In case of a fire, the employees should follow this procedure:

1. Relocate customers or visitors in immediate danger to safety.
2. **CALL 911.**
3. Close all windows and doors, shut off all fans, etc., to prevent drafts and fire from spreading. Keep fire doors closed.
4. Station people at the entrance to the area or building to guide the fire department to the fire's location.
5. Check the door to the room in which the fire is burning. If the door is warm, **DO NOT OPEN THE DOOR.** Wait for the fire department to deal with the fire.
6. Follow instructions as calmly as possible
7. If you have any questions regarding this procedure, seek clarification through management.

### **EARTHQUAKE**

In the event an earthquake strikes and affects any of MPAD's property, the safety of customers, visitors and employees is of paramount importance. The following guidelines should be followed:

#### **During an Earthquake**

1. If you're indoors, get under a table or desk, or brace yourself in a hallway. Hang on! Watch out for falling, flying, and sliding objects. Stay away from windows.
2. If you're outdoors, move to an open area away from buildings, power poles, and brick or block walls that could fall.
3. If you're in an automobile, stop and stay in it until the shaking stops. Avoid stopping near trees and power lines, on or under overpasses.
4. If elevators are available, do not use them; use stairs. Wait for instructions from building authorities.
5. Do not dash for the exit. Choose your exit carefully.

#### **After an Earthquake**

1. Put on heavy shoes immediately to avoid injury from stepping on glass and other debris. Look out for falling or ready-to-fall objects.
2. Check for injuries and give first aid, as you feel qualified.
3. Check emergency supplies.
4. Check for fires and fire hazards. Sniff for gas leaks. If you smell gas or suspect a leak, open windows and carefully leave the area. Do not turn lights on or off or light matches or do anything that makes a spark.
5. Go to your designated area and report on injuries and conditions. Wait for instructions.
6. Do not touch downed power lines or objects touched by downed wires.
7. Stay in undamaged areas.
8. Do not use the phone.

9. Do not go sightseeing.

10. Cooperate with public safety officials. Be prepared to evacuate when necessary.

Employees should inform their supervisors if they require assistance or accommodation in complying with the Emergency Procedures or any aspect of MPAD's safety plan.

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# INDEX

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|   |        |  |    |
|---|--------|--|----|
| Access To Personnel Files .....         | 8      | Jury Duty.....                                 | 26 |
| Alternative .....                       | Work   | LEAVES OF ABSENCE .....                        | 20 |
| Schedule.....                           | 31     | Make-Up Time .....                             | 33 |
| Attendance and Punctuality .....        | 10     | Medical Leave.....                             | 26 |
| Benefits Continuation.....              | 16     | Military Leave.....                            | 27 |
| Bereavement Leave.....                  | 26     | Military Reserves or National Guard Leave .... | 27 |
| COBRA .....                             | 16     | MPAD Property .....                            | 11 |
| Code of Conduct.....                    | 9      | Nature of Employment .....                     | 2  |
| Compensatory Time Off.....              | 33     | Overtime .....                                 | 33 |
| Complaint Procedure .....               | 4      | Paid Family Leave (PFL) .....                  | 19 |
| Confidentiality .....                   | 11     | Parents'/Guardians' School Leave .....         | 28 |
| Conflicts of Interest.....              | 12     | Pay Deductions.....                            | 34 |
| Corrections to Paychecks .....          | 34     | Paydays .....                                  | 34 |
| Corrective Action .....                 | 10     | Performance Evaluations.....                   | 7  |
| CUSTOMER SERVICE POLICY.....            | 2      | Personal Appearance .....                      | 11 |
| Discussing MPAD Business.....           | 2      | Personal Leave .....                           | 25 |
| Drug and Alcohol Use.....               | 13     | Pregnancy Disability Leave (PDL) .....         | 24 |
| Earthquake .....                        | 37     | Problem Solving.....                           | 14 |
| Educational Assistance.....             | 18     | Prohibited Harassment .....                    | 3  |
| Emergency Duty Leave.....               | 28     | Rehire Policy.....                             | 9  |
| Emergency Procedures .....              | 37     | Rest and Meal Periods .....                    | 31 |
| EMPLOYEE BENEFITS.....                  | 15     | Safety Rules .....                             | 36 |
| EMPLOYEE CONDUCT AND WORK RULES..       | 9      | School Discipline Leave .....                  | 28 |
| Employee Relations.....                 | 5      | Security.....                                  | 36 |
| Employment Applications.....            | 5      | Security Inspections.....                      | 8  |
| Employment Categories.....              | 6      | Sick Time and Kin Care Benefits .....          | 17 |
| Employment of Relatives.....            | 6      | Smoking.....                                   | 12 |
| EMPLOYMENT POLICIES.....                | 2      | Social Security Insurance .....                | 20 |
| Employment Reference Checks.....        | 9      | State Disability Insurance (SDI).....          | 19 |
| Employment Separation.....              | 8      | Supplemental Employment .....                  | 14 |
| Equal Employment Opportunity .....      | 2      | Timekeeping .....                              | 31 |
| Exchanging Shifts .....                 | 11     | Unemployment Insurance .....                   | 19 |
| Fire.....                               | 37     | Unpaid Time-Off .....                          | 16 |
| FMLA/CFRA Leave.....                    | 20     | Use of Vehicles and Equipment.....             | 11 |
| Health and Life Insurance.....          | 15, 16 | Vacation Benefits.....                         | 16 |
| Health and Safety.....                  | 35     | Wage Replacement Insurances.....               | 19 |
| Holidays .....                          | 17     | WELCOME .....                                  | 1  |
| Immigration Law Compliance.....         | 5      | Work Schedules .....                           | 8  |
| Information Changes.....                | 8      | Workers' Compensation Disability Leave .....   | 20 |
| Information/Communication Systems.....  | 13     | Workers' Compensation Insurance.....           | 19 |
| Interactive Communication Process ..... | 3      | Workplace Violence.....                        | 35 |
| INTRODUCTION .....                      | 1      |  |    |
| Introductory Period .....               | 7      |  |    |