

EMPLOYEE HANDBOOK

CALIFORNIA STATE UNIVERSITY FRESNO ATHLETIC CORPORATION

PROVIDING INFORMATION AND GUIDANCE IN PROCEDURES

CALIFORNIA STATE UNIVERSITY FRESNO
ATHLETIC CORPORATION BOARD

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**CALIFORNIA STATE UNIVERSITY, FRESNO
ATHLETIC CORPORATION**

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CALIFORNIA STATE UNIVERSITY, FRESNO ATHLETIC CORPORATION

EMPLOYEE HANDBOOK

WELCOME

Welcome to the California State University, Fresno Athletic Corporation (“Corporation”). We are pleased that you have joined our organization.

It is the responsibility of each Employee to read and understand this booklet. If anything is not clear to you please ask for an explanation.

The Corporation retains the sole discretion to modify, delete or add to this handbook, in writing, at any time. When such amendments are made, each Employee will be provided with a written statement of the amendment and will be required to acknowledge they have received and read the amendment. None of these policies or procedures can be amended, altered or modified in any way by oral statements, but can only be altered by a writing signed by the Chair of the Corporation.

This Handbook replaces and supersedes all previous handbooks and supplements to previous handbooks distributed by the Corporation and takes precedence over all memoranda or oral descriptions of the terms and conditions of employment. To avoid confusion, please discard any and all handbooks and manuals you may have.

None of the Corporation’s personnel documents and benefit plans, including this Handbook, constitutes, or is intended to constitute, an express or implied contract guaranteeing continued employment for any Employee. No manager has any authority to enter into a contract of employment-express or implied-that changes or alters the at-will employment relationship. Only the President has the authority to enter into an employment agreement that alters the at-will employment relationship and any such agreement must be in writing.

INTRODUCTION

California State University, Fresno Athletic Corporation is an Internal Revenue Code section 501 (c), (3) nonprofit California corporation, organized in 1982 for the purpose of promoting and assisting California State University, Fresno. The Corporation achieves this purpose through the funding and operation of an intercollegiate athletic program.

One of over 70 recognized auxiliary organizations within the California State University and Colleges System; the Corporation operates in conformance with all applicable California state laws and the general nonprofit corporation laws of the State of California. Its nonprofit status has been recognized by the Franchise Tax Board of the State of California and by the Internal Revenue Service.

The Corporation contracts with the California State University, Fresno (the University) for certain services, including Human Resource, Key Card, Parking, and Employee Assistance & Development (EA&D). The Corporation reserves the right to contract with the University for services without notice to the Corporation Employees. In no way does the contracting for services affect Employee’s employment relationship with the Corporation. Employees of the Corporation are not employees of

the University and therefore salaries, benefits, practices or policies, while similar, may not be the same as provided to State Employees.

The Corporation is governed by a Board of Directors consisting of University administrators, faculty, students, and community members.

SECTION I – EMPLOYMENT

ABSENTEEISM

Punctuality and dependability are of prime importance to the efficient running of any organization. Each Employee's presence is essential to the smooth operation of Corporation functions. If tardiness or absence becomes necessary due to personal business, illness, or death in the family, Employees are expected to follow the procedures below:

1. Obtain prior approval from the supervisor whenever possible.
2. In the case of illness, call in no later than fifteen (15) minutes after scheduled time to begin work.
3. Notify the supervisor as soon as possible when a death in the family requires an absence.
4. When an absence will be longer than one day, notify the supervisor daily, or as often as needed to keep him/her informed as to the date of probable return to work.

A doctor's verification of illness may be required if an Employee takes more than three consecutive days of sick leave, or if, in the opinion of the supervisor, the absenteeism has been excessive.

BACKGROUND CHECKS

The Corporation recognizes the importance of maintaining a safe workplace with Employees who are honest, trustworthy, qualified, reliable, and nonviolent, and do not present a risk of serious harm to their coworkers or others. For purposes of furthering these concerns and interests, the Corporation reserves the right to investigate an individual's prior employment history, personal references, and educational background, as well as other relevant information that is reasonably available to the Corporation. Credit reports will be requested only with regard to job applicants and Employees whose positions, department, or job duties involve the handling of money, valuables, confidential information, or trade secrets, and to those suspected of theft, extortion, embezzlement, or other crimes of dishonesty or fraud related to their employment, the Corporation, the Corporation's customers, the Corporation's Employees, or other parties or entities dealing with the Corporation. The Corporation may review an applicant's or an Employee's credit report and criminal background, if any. In the event that a background check is conducted, the Corporation will comply with the federal Fair Credit Reporting Act and applicable state laws, including providing the job applicant or Employee with any required notices and forms. Consistent with these practices, job applicants or Employees may be asked to sign certain authorization and release forms. Consistent with legal requirements, the Corporation reserves the right to require job applicants or Employees to sign the forms as requested as a condition of employment.

ACCEPTANCE OF GIFTS

No Corporation Employee may accept gifts from individuals or companies that do business with the Corporation or that may do business at some future date. This does not preclude the acceptance of small token holiday gifts (e.g. Christmas, birthday) with a value under \$10.00 such as candy, nuts, calendars, etc. Also see "Conflict of Interest."

BLOOD BANK

All Corporation Employees and their immediate families are eligible to draw upon the Fresno State Blood Bank. Twice a year the campus holds a blood drive during which students and campus Employees may donate blood.

CAREER DEVELOPMENT PROGRAM

The Career Development Program for full time Employees of the Corporation is designed for the systematic growth and development of Employees, ensuring continued improvement of ability and performance. The program is aimed at those Employees who are working toward a Bachelor of Arts or Science degree or any advanced degree recommended for their position. It is also provided for those Employees who wish to take job-related courses to improve job performance and opportunity. The Corporation will pay for courses taken at California State University, Fresno only.

Courses Toward a Degree

In the case of an Employee seeking a degree from California State University, Fresno, the Corporation will pay the mandatory fees as outlined in the university catalog for six (6) units each semester and will grant the Employee paid time off from work to take three units each semester on Corporation time, not to exceed three hours per week. In order for Employees to qualify for taking courses toward a degree through this program, the following conditions must be met:

The program must be approved by the Employee's supervisor and the appropriate administrator, to ensure that the department will not be adversely affected by the Employee's absence.

The Employee must be admissible to California State University, Fresno and have the status of first semester junior or higher.

The Employee must be full time and have completed one year of service with the Corporation.

Courses Related to the Job

As part of the Career Development Program, Employees are encouraged to take job-related courses, regardless of whether they are seeking a college degree. The Corporation will pay the mandatory fees outlined in the university catalog for three units per semester, provided that these units have been approved by the Employee's supervisor and the appropriate administrator. Approved job-related courses may be taken on Corporation time, not to exceed three hours per week. An Employee taking an approved job-related course on personal time may be given permission to take a non job-related course on Corporation time.

The Employee should bring the receipt for fees paid to the Corporation's payroll office for reimbursement. Grades must be submitted to Human Resources at the end of each semester for placement in the personnel file. If a passing grade is not received, the Employee must reimburse the Corporation for the amount of fees paid.

Employees desiring to enroll in courses that are neither job-related nor applicable to a degree may not be granted time off with pay, although the supervisor may approve vacation or leave without pay. Course fees for such courses will not be paid by the Corporation.

The Corporation will not pay application fees, lab fees, penalties or charges for books and supplies under this program.

CODE OF CONDUCT ¹

The purpose of this Code of Conduct (hereinafter referred to as "Code") is to guide the conduct of those acting for or on behalf of the Corporation, which guidance will enhance the Corporation's performance in assisting the University in the attainment of its educational mission.

¹ Refer also to section entitled "Standards of Conduct."

Specifically, this Code applies to all board members, officers, representatives, committee members, affiliates of the Corporation, and employees acting for/on behalf thereof (hereinafter collectively referred to as “staff”), whether full-time, part-time, volunteers, or casual appointees.

1. Respect for the Law

Staff, in common with all citizens, have an obligation to observe all applicable federal, state, and local laws, regulations, ordinances, and authoritative orders, and are required to conduct themselves accordingly.

2. Respect for Persons

The Corporation seeks to create an environment where all people are treated equitably and with respect, where people’s rights are respected and where staff are encouraged and receive recognition for their work in support of the mission of the Corporation.

Respect for persons extends to the manner in which individuals deal with one another, with Employees of the University, with students, as well as members of the community. The Corporation regards a staff member’s behavior towards and interaction with others as a vital part of the duties of their position. A collegial working environment is particularly encouraged and expected.

3. Courtesy and Responsiveness

Staff are expected to be responsive, courteous and prompt in dealing with others, whether with other staff, employees of the University, students, or members of the community.

4. Obligations of Staff Supervising Other Staff

Individuals who supervise other staff members have special responsibilities to treat their staff members fairly and to afford them equality of opportunity, to maintain open and honest communication with them and to ensure their staff understand performance standards expected of them. Evaluations of staff performance must be undertaken against these standards objectively and without bias.

5. Making Fair Decisions

When making a decision, taking action of a discretionary nature or resolving a grievance that may adversely affect a person’s rights, liberties, interests or legitimate expectations, the principles of procedural fairness must be applied. Specifically, persons affected must have the opportunity to respond to allegations or assertions made and to have a decision made without bias. Decisions must be based on considerations relevant to the matter at hand. Decisions may be accepted more readily if reasons are given.

6. Unfair Discrimination is Unacceptable

Staff shall treat other people equitably, irrespective of race, religion, color, national origin, sex, sexual orientation, marital status, age, physical or mental disability, medical condition (except where physical fitness is a valid occupational qualification) veteran’s status or any other basis protected by federal, state, or local law, ordinance or regulation. For more information related

to this subject, refer to the Section on “Equal employment opportunity and discrimination policy.”

7. Harassment is Unacceptable

Staff shall not engage in conduct that amounts to or may be perceived as harassment or retaliation as defined in the Section of this handbook “Harassment and retaliation.” Staff shall not behave toward other persons in a manner that may reasonably be perceived as intimidating, overbearing or unreasonable.

8. Avoidance of Conflicts of Interest²

Staff shall avoid conflicts between their private interests and their staff responsibilities and shall avoid situations where there is a reasonable basis for the perception of such a conflict. In this regard, staff shall refrain from participating in making decisions affecting their own financial or personal interests, as well as those decisions affecting another person with whom said staff member has a close personal relationship. These relationships include but are not limited to: spouse, close relative, close friend, business partner. (see section entitled “Nepotism”).

A. A “transaction” is defined as a business arrangement whereby one party provides property or services to the other in exchange for compensation. The above definition of the word “transaction” does not include gift arrangements between a donor and the Corporation. With specific regard to financial interests, the following transactions are absolute conflicts of interest, and are hereby proscribed:

1. A transaction between the Corporation and a member of any governing board or committee thereof;
2. A transaction between the Corporation and a partnership or unincorporated association of which any member of the governing board or committee of the Corporation is a partner or of which he/she is the owner or holder, either directly or indirectly, of a proprietorship interest.
3. A transaction between the Corporation and any corporation in which any member of a governing board or committee of the Corporation is the owner or holder, directly or indirectly, of 5% or more of the outstanding common stock.
4. A transaction in which a member of the governing board or committee of the Corporation is financially interested other than as specified in subsections 8(A)(1)-(3) above, and either; (i) the member fails to first disclose such interest to the governing board or committee at a public meeting of the board or committee, or (ii) the member influences, or attempts to influence, another member or members of the board or committee into entering into the transaction.

² See section of this handbook: “Conflict of Interest” for more information.

5. Purchases of athletic tickets, personal seat licenses, and athletic event travel packages is not considered a conflict of interest as long as the transaction procedures are consistent with Corporation guidelines and policies.
- B. Staff who are members of the governing board or a committee, have an absolute duty to disclose actual or potential conflicts of interest and all material facts related thereto, to the governing board or committee. If said member is financially interested in a potential transaction other than as specified in section 8(A) above, said transaction may be allowed if all of the following occur, and the board or committee (without involvement of the interested member) vote to approve the transaction:
1. The fact of such financial interest is disclosed to or known by the governing board or committee, and noted in the minutes thereof. Once the actual or potential conflict is disclosed or known, the financially interested person will be allowed to make a presentation to the board or committee, after which he or she shall leave the board room for discussion and prior to any voting thereon.
 2. If necessary, appointment of a person or committee to investigate the situation prior to any voting thereon, and to investigate alternatives to the proposed transaction or arrangement.
 3. Consideration of the findings of the above-referenced investigative effort and determination of the board as to whether the transaction is just and reasonable and whether it could obtain a more advantageous transaction or arrangement with an entity for which there is no actual or potential conflict of interest. If it cannot obtain a more advantageous transaction or arrangement, the board may, in its discretion, vote to approve the proposed transaction or arrangement.

9. Receipt of Gifts

Staff shall not ask for or encourage the giving of any form of gift or benefit in connection with the performance of their duties. Receipt of gifts can be perceived as an inducement to act in a particular way, thus creating a real or apparent conflict of interest. However, a staff member may, of course, give or accept an occasional gift of nominal value that is offered in accordance with social or cultural practice.

10. External Activities and Public Comment

Staff are free to engage in party-political, professional, interest group and charitable activity, provided that participation does not give rise to a conflict of interest or impede the performance of a staff member's duties. Where a staff member comments publicly in connection with party political or interest group activities, it must be made clear that such comment is made on behalf of the political party or association which they represent, and not in their capacity as members of staff of the Corporation.

Public comment by staff in their capacity as private citizens is certainly permitted. In making private comment (including electronic means such as electronic mail), every effort must be made to ensure that the opinions expressed are not represented as an official view of the Corporation.

11. Diligence

- A. The Corporation aims to achieve the highest standards in the conduct of its business, which ultimately serves to advance the educational interests of the University. All staff contribute to the achievement of this aim when they carry out their duties honestly and to the best of their ability. In this regard, staff are expected to carry out their duties in a professional, responsible, impartial and conscientious manner, and are accountable for their official conduct and decisions.
- B. Staff should endeavor to maintain and enhance their skills and expertise and keep up to date the knowledge associated with their particular field or area of work. High standards of performance are expected. Staff shall not allow outside work to interfere with the performance of their Corporation duties.
- C. Staff shall exercise due care in undertaking their activities, particularly where others rely on advice or information offered. Staff have a duty to take reasonable care to avoid causing harm (including physical harm) to anyone. Thus, staff shall actively promote safe working practices and environments for everyone using Corporation facilities. In this connection, staff shall ensure the personal use of alcohol or other drugs does not affect work performance or the safety and well-being of others. (See section entitled “Drug & Alcohol Abuse”)
- D. Fraud, corrupt conduct or malfeasance is contrary to law and is to the detriment of the Corporation, as well as ultimately to the University. Staff members are required to report genuinely suspected or known fraud or corrupt conduct in accordance with section 13 hereof. See section of this handbook “Harassment and Retaliation” for more information.
- E. Appropriate measures to ensure proper internal control with respect to Corporation assets must be observed at all times. Staff members must not be assigned job duties or allowed to engage in conduct that may compromise the maintenance of proper internal control.

12. Economy and Efficiency

Staff have a responsibility to ensure Corporation resources are managed effectively. In this regard, material, financial and computerized resources should only be used for Corporation or University purposes. Though staff members may occasionally need to use Corporation resources for personal reasons, such as personal telephone calls, such usage must be kept to a minimum, and must not result in additional expense to the Corporation. Additionally, equipment, materials and facilities shall be treated with appropriate care and secured against theft and misuse in order to ensure that the maximum level of resources are available to discharge Corporation functions.

13. Violations of the Code

Subject to section (A) below, actual or suspected violations of this Code by any staff member³ shall be reported to the Chair of the Corporation, or to the Director of Human Resources. If the report is made to the Director of Human Resources, he/she shall promptly inform the Chair of the report. The Chair and/or the Director of Human Resources shall then, in his or her discretion, conduct a reasonable investigation of the facts of the alleged or suspected violation(s), or appoint other competent person(s), who is(are) not alleged to be involved in the violation, to conduct the same. Findings of all investigations not conducted by the Chair shall be reported to the Chair for consideration thereof and resolution of the matter. If the Chair, Director of Human Resources, or anyone else acting on behalf of the Corporation wishes to receive assistance in conducting the investigation, such assistance may only be utilized after first consulting with the Chair. The Chair shall have the authority to either dismiss a staff member found to have violated this Code, or discipline said staff member in a manner that the Chair, in his or her discretion, deems appropriate. If the staff member alleged to have violated this Code is the Chair, or a member of the Board of Directors of the Corporation, the allegation of the violation shall be made to the Director of Human Resources, who shall promptly report the allegation to the President for investigation and resolution. Prior to such resolution, the Executive Committee and/or its designee(s) shall conduct any reasonable investigation of the facts of the alleged violation as it deems appropriate. The Executive Committee shall have the authority to either dismiss the staff member found to have violated this Code, or discipline said staff member in a manner that it deems appropriate, in its discretion. No member of the Executive Committee who is alleged to be involved in the violation shall take part in the investigation or resolution of such alleged violation.

- A. Reports of, investigations of, and resolutions of allegations of fiscal misconduct shall be administered exclusively in accordance with sections entitled "Reporting of Misconduct," "Equal Employment Opportunity and Discrimination Policy" and the University's "Complaint Procedures for Allegations of Retaliation for Disclosure of Improper Government Activities," as applicable.

COMPLAINT PROCEDURE

Employees should discuss any problems or complaints with his or her immediate supervisor, provided the supervisor is not a party to the complaint. If a satisfactory solution is not achieved, Employees may seek assistance from a senior Corporation administrator.

If the situation remains unresolved, submit a brief written statement explaining the nature of the problem to the Director of Human Resources. The Director shall respond to complaints in a timely manner in consultation with appropriate administrators. If necessary or appropriate, a written report will be presented for consideration by the University President or his designee, whose decision shall be final.

A co-worker or other person selected by the Employee may assist in the preparation and presentation of the complaint, using a reasonable amount of work time as determined by the Athletic Director.

³ Any allegation of impropriety against an Association employee contracted to the Corporation to perform the financial and/or administrative services shall be directed to the Director of the Corporation, in which case the investigation and resolution shall be in accordance with the Corporation's Code of Conduct.

COMPLIANCE WITH POLICIES AND PROCEDURES

All Employees of the Corporation are expected to maintain compliance with the rules and regulation, policies and procedures as set forth in this Employee Handbook, the Athletic Department Policy Manual, and the rules and regulations of the NCAA, the Western Athletic Conference, and the University. All Employees also agree to administer all programs with a commitment to equity and Title IX compliance.

Violation of these policies may result in disciplinary action up to and including termination of employment.

CONFIDENTIAL FILES AND INFORMATION

As an Employee of the Corporation, each Employee represents the Corporation on both a personal and business level. Unauthorized release of confidential information may be potentially harmful to the Corporation. Therefore, conduct should be such that it reflects favorably on the Employee and the organization. In addition, Corporation Employee's must abide by the University and State policies that govern university-wide information.

No confidential information WHATSOEVER is to be shared by any Employee with any person without prior approval. All requests for information should be routed or reported to the Athletic Director or designee. Unauthorized disclosure of any information may result in discipline up to and including termination.

Careful custody and handling of Corporation documents or materials containing confidential information are of critical importance to the well being of the Corporation. Each Employee is responsible for safeguarding against the theft, loss, unauthorized use or disclosure of this information. Therefore, those who have access to such material as part of their regular work, must take whatever steps are necessary to assure that it is handled, stored, transmitted or destroyed in a manner which will preclude loss or misuse.

Confidential information includes but is not limited to the following:

1. Employee and student names, addresses, telephone numbers, social security numbers, and campus ID numbers.
2. Employment agreements (i.e., Personal Services Agreements).
3. Employee performance reviews, and personnel files.
4. Corporation expenses and financial data, except for the annual financial statements or other reports expressly designated as public information.
5. Marketing data and plans.
6. New service developments.
7. Corporation clients.
8. Information on enrolled and/or perspective student-athletes including academic performance and status, GPA, address, telephone number, parent names and addresses and enrolled courses, social security number and campus identification numbers.

9. Anything marked “Confidential”, “Corporation Private”, “Secret”, “Personal”, etc. Such private and confidential information should be given only to those persons in the Corporation who have a need and the authority to know in order to function in their jobs.
- 10.

CONFLICT OF INTEREST

The Corporation requires all Employees maintain the highest level of integrity and objectivity in performing their job duties. Employees are expected to conduct their business dealings with suppliers, vendors and customers in a manner that will avoid any conflict of interest, or appearance of a conflict of interest between the Employee’s interests and the interest of the Corporation. Any solicitation of, or requirement of, gratuities or gifts from suppliers, vendors, co-workers or from any other third party is strictly prohibited. Also see “Acceptance of Gifts.”

It is essential for the protection of both the Employee and the Corporation to avoid any situations that might constitute a conflict of interest, such as employment by or financial interest in the business of a competitor, supplier, or customer of the Corporation. Therefore, the Corporation has adopted the following guidelines:

As a condition of employment, no Employee or any member of Employee’s immediate family, without prior written consent of the Athletic Director, may have any financial interest in any of the following:

1. A business supplying the Corporation; or
2. A customer of the Corporation.

The Corporation will not rent, lease or buy other property for its operations from an Employee or an Employee’s relative without the prior written consent of the Athletic Director.

An Employee may not do business with a relative on behalf of the Corporation without prior written consent of the Athletic Director.

An Employee may not give or accept a gift, loan or unreasonable favors from a person having business relations with the Corporation. This does not prohibit small gifts or casual entertainment which are ethically proper. If a person offers an Employee a gift or unreasonable favor, the Employee has a duty to immediately report the incident to the Athletic Director. Any Employee who is involved in a conflict of interest or breach of confidentiality shall be subject to disciplinary action up to and including termination.

COURTROOM DUTY

Jury Duty

An Employee may be absent with pay in order to travel to and serve on jury duty. All fees received for such service must be remitted to the Corporation, except mileage allowance which the Employee retains.

Subpoenaed Witness

If subpoenaed as a witness but not as a party or an expert witness in a court case, an Employee is granted time off with pay provided that the witness fee is remitted to the Corporation. If the fee is retained by the Employee, vacation or overtime credits must be reduced by the number of work hours

of the absence in order for the Employee to receive pay for the time absent. An Employee who is subpoenaed as a witness should notify the supervisor in advance of the anticipated absence.

CREDIT UNION

Regular Employees are entitled to join Educational Employees Credit Union. Information may be obtained from the Payroll office. Arrangements may be made for credit union members to have payroll deductions for savings and automatic deposit to credit union accounts. Note: Automatic deposit accounts are also available for the Employees bank or credit union of choice.

DRUG & ALCOHOL ABUSE

The Corporation maintains zero tolerance for drug and alcohol abuse by its Employees. The use of any illegal drugs, intoxicants, or controlled substances is strictly prohibited. Illicit drug use and indiscriminate alcohol consumption put everyone at risk and cannot be tolerated. In keeping with our efforts to promote health and safety and protect the interests of our Employees, customers, and the Corporation, we cannot allow anyone to use, possess, sell, manufacture, purchase, or be under the influence of alcohol, illegal drugs, intoxicants, or controlled substances at any time on Corporation premises, in Corporation vehicles, or while on Corporation business. Furthermore, the involvement of Employees in these activities off the job raises significant concerns for the Corporation and will be treated with equal severity.

Prohibited Acts

The following rules and standards of conduct apply to all Employees. The following are strictly prohibited by the Corporation:

1. Possession, use, or being under the influence of alcohol or an illegal drug, intoxicant, or controlled substance while on the job or on Corporation-owned or occupied premises;
2. Driving a vehicle on Corporation business while under the influence of alcohol or an illegal drug, intoxicant, or controlled substance;
3. Distributing, selling, manufacturing, or purchasing or attempting to distribute, sell, manufacture, or purchase an illegal drug, intoxicant, or controlled substance during working hours or while on Corporation-owned or occupied premises;
4. Testing positive on a required or requested drug or alcohol test or screen;
5. Refusing either to take or to release information regarding a required or -requested drug or alcohol test or screen; and
6. Violating any Corporation rule or policy regarding alcohol and drug use.

Testing Program

The Corporation may require drug and/or alcohol testing:

1. After an offer of employment, but before the applicant commences employment (See Requirements for Employment, #7);
2. When a reasonable suspicion exists that any Employee is under the influence of alcohol or any illegal drug, intoxicant, or controlled substance while on the job, or is otherwise in violation of this policy. Reasonable suspicion means suspicion based on information regarding, among other things, the appearance, behavior, speech, attitude, mood, and/or breath odor of any Employee;
3. When any Employee is found in possession of alcohol or any illegal drug, intoxicant, or controlled substance in violation of Corporation policy, or when any of those items are found in an area controlled or used by the Employee, such as a desk or locker;

4. When an accident, near-miss, or incident occurs in which safety precautions are violated or careless acts are performed, and a reasonable suspicion exists that the Employee involved is under the influence of alcohol or any illegal drug, intoxicant, or controlled substance;
5. For any safety-sensitive Employee on a random testing basis;
6. After any Employee has participated in a rehabilitation program; and
7. When required by a state or federal law or regulation (e.g., (i) persons driving commercial motor vehicles with a gross vehicle weight rating of 26,001 pounds or more or carrying hazardous materials in interstate commerce (“DOT testing”); or (ii) for other reasons required by law). The testing required by the Corporation will involve an initial screening test. If that test result is positive, the positive result will be confirmed using a different testing methodology. The test results will be kept as confidential as possible.

Employees suspected of possessing alcohol, illegal drugs, intoxicants, or controlled substances are subject to inspection and search, with or without notice. Employees’ personal belongings, including any bags, purses, briefcases, and clothing, and all Corporation property, are also subject to inspection and search, with or without notice. Employees who violate the Corporation’s drug and alcohol abuse policy will be removed from the workplace immediately. The Corporation may also bring the matter to the attention of appropriate law enforcement authorities. Any conviction for criminal conduct involving illegal drugs, intoxicants, or controlled substances, whether on or off duty, or any violation of the Corporation’s drug and alcohol abuse policy, including having a positive drug-test result, may lead to disciplinary action, up to and including termination.

Any Employee’s conviction on a charge of sale, distribution, manufacturing-or attempted sale, distribution, or manufacturing-or possession of any controlled substance while off Corporation property will not be tolerated because that conduct, even though off duty, reflects adversely on the Corporation. In addition to reflecting adversely on the Corporation, the Corporation must keep people who are involved with illegal drugs, intoxicants, and controlled substances off premises owned or occupied by the Corporation in order to keep those substances off the premises.

The use of prescription drugs and/or over-the-counter drugs may also affect an Employee’s job performance and seriously impair that Employee’s value to the Corporation. Any Employee who is using prescription or over-the-counter drugs that may impair his or her ability to safely perform the job or may affect the safety or well being of others must submit a physician’s statement that the prescription drug use will not affect job safety. The Employee is not required to identify the medication or the underlying illness. Various federal, state, and local laws protect the rights of individuals with disabilities and others with regard to the confidentiality of medical information, medical treatment, and the use of prescription drugs and substances taken under medical supervision. Nothing contained in this policy is intended to violate or interfere with individual rights under these laws.

NOTE: On occasion, managerial, executive, and sales staff may entertain customers during work hours or after work hours as representatives of the Corporation. These occasions may include lunches, dinners, and business conferences. On these occasions, only the moderate and limited use of alcoholic beverages is acceptable. In addition, occasionally, alcohol is served at social events sponsored by the Corporation. Alcohol may be served at these events only with the approval of the Vice President for

Administration. Only the moderate and limited use of alcohol is acceptable. Employees are expected to remain responsible, professional, and sober at all times.

Accommodation of Employees Seeking Treatment/ Rehabilitation

The Corporation will attempt to reasonably accommodate Employees with chemical dependencies (alcohol or drugs), if they voluntarily wish to seek treatment and/or rehabilitation. Employees desiring that assistance should request an unpaid treatment or rehabilitation leave of absence. The Corporation's support for treatment and rehabilitation does not obligate the Corporation to employ any person who violates the Corporation's drug and alcohol abuse policy or whose job performance is impaired because of substance abuse. The Corporation is also not obligated to reemploy any person who has participated in treatment or rehabilitation if that person's job performance remains impaired as a result of dependency. Employees who are given the opportunity to seek treatment and/or rehabilitation and are involved in any further violations of this policy will not be given a second opportunity to seek treatment or rehabilitation.

ECONOMY ON THE JOB

The goal of the Corporation is to provide the maximum number of quality services at the least possible cost. In order to ensure this, Employees must safeguard all Corporation equipment and avoid excessive waste when using any Corporation equipment or materials. Prudent conservation of Corporation resources is encouraged.

ELECTRONIC COMMUNICATIONS

The Corporation's computer systems and other electronic resources (e.g. cell phones, campus phones, voice mail, email, pagers and modems) of the Corporation are provided by the Corporation for the use of the Corporation and are to be reviewed, monitored and used in the pursuit of the Corporation's business. As a result, computer data is readily available to numerous persons. If, during the course of employment, an Employee performs or transmits work on the Corporation's computers or other technical resources, work may be subject to the review of others in accordance with this policy. In addition, any electronically stored communications either sent to or received from others may be retrieved and reviewed where such investigation serves the legitimate business interests or obligations of the Corporation.

Files or programs are normally accessed with permission. Unauthorized review of files, dissemination of passwords, the creation or use of passwords not authorized by the Corporation, damage to systems, removal of files, removal of programs or improper use of information contained in the computer system may be grounds for disciplinary action, up to and including termination.

The use of electronic mail or E-mail in any manner which may be disruptive, offensive to others or harmful to morale is specifically prohibited, including but not limited to the display or transmission of sexually explicit images, messages and cartoons, as well as use of any ethnic slurs or communication which reasonably may be construed as harassment or disparagement of others. Such transmissions may be grounds for disciplinary action, up to and including termination. Use of Corporation resources for private ventures, religious or political causes, outside organizations or other non-job-related business or illegal activities is strictly forbidden and may be grounds for disciplinary action, up to and including termination. When there is reason to believe this policy may have been violated, searches of E-mail may be conducted without advance notice in order to determine if it is being used for such purposes.

Employees may not duplicate software programs. Any unauthorized duplication may be grounds for immediate discipline, up to and including termination. Employees may not keep any backup copies of work done for the Corporation when they leave the Corporation. If Employees wish to keep samples of their work, they must obtain written permission from the Athletic Director to download specific

examples. Downloading may occur only in the presence of the Athletic Director or his/her designee. Under no circumstances are Employees allowed to keep copies of proprietary information, data, or programs.

An Employee of the Corporation is permitted to use the Corporation's electronic equipment for occasional, incidental, personal business in accordance with the Corporation's policy. Also see "Hours of Work." However, no personal right of privacy of an Employee exists in any file contained within or transmitted by Corporation computers, voice mail, e-mail, or other electronic resources. Likewise, information contained on the Corporation's voicemail system is subject to review; the Corporation management may override the Employee's voicemail and e-mail passwords and review messages if deemed necessary in the best interest of the Corporation. Invoices and other documentation related to this type of equipment are the property of the Corporation and may be reviewed and used for purposes the Corporation considers appropriate.

EMPLOYMENT POLICY – AT WILL

The Corporation's employment policy is "at-will". Under the "at-will" policy, neither the Employee nor the Corporation is committed to continuing the employment relationship for any specific term. Rather, the employment relationship will continue at will. Either side may terminate the relationship at any time, with or without cause and with or without notice. Also the Corporation retains the right to demote, transfer, change job duties, and change compensation at any time with or without notice and with or without cause in its sole discretion. In deciding to work for the Corporation, or continuing to work for the Corporation, the Employee must understand and accept these terms of employment.

EQUAL EMPLOYMENT OPPORTUNITY AND DISCRIMINATION POLICY

The Corporation is an equal opportunity employer and makes employment decisions on the basis of merit, qualifications, potential and competency. We want to have the best available person in every job. Corporation policy prohibits unlawful discrimination based on race, religion, color, national origin, sex, sexual orientation, marital status, age, physical or mental disability, or medical condition, except where physical fitness is a valid occupational qualification or any other consideration made unlawful by federal, state or local laws. All such discrimination is unlawful.

The Corporation is committed to complying with all applicable laws providing equal employment opportunities to individuals regardless of race, religion, color, national origin, ancestry, sex, sexual orientation, marital status, age, physical or mental disability, or medical condition, except where physical fitness is a valid occupational qualification. This commitment applies to all persons involved in the operations of the Corporation and prohibits unlawful discrimination by any Employee of the Corporation, including supervisors and co-workers.

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

Any applicant or Employee who requires an accommodation in order to perform the essential functions of the job should contact Human Resources and request such an accommodation. Human Resources, in consultation with the Athletic Director or designee and the Employee, will identify possible accommodations, if any, that will help eliminate the limitation. If the accommodation is reasonable and will not impose an undue hardship, the Corporation will make the accommodation.

If you believe you have been subjected to any form of unlawful discrimination, provide a written complaint to Human Resources as soon as possible (See form in Appendix A). The Human Resources office is located in the Joyal Building, Room 148, Mail Stop JA41 and can be reached by phone at 278-2364. If the complaint relates to Human Resources personnel, provide your complaint to the Vice President for Administration. Your complaint should be specific and should include the names of the individuals involved and the names of any witnesses. Human Resources shall immediately undertake an effective, thorough and objective investigation and attempt to resolve the situation. An appropriate administrator shall assume responsibility for investigation of complaints filed against Human Resources.

If the Corporation determines that unlawful discrimination has occurred, effective remedial action will be taken, commensurate with the severity of the offense. Appropriate action will also be taken to deter any future discrimination. Whatever action is taken will be made known to you and the Corporation will take appropriate action to remedy any loss to you as a result of the discrimination. Specific personnel actions are considered confidential and may not be revealed. The Corporation will not retaliate against you for filing a complaint and will not willingly permit retaliation by management Employees or your co-workers.

FACILITY USE (CAMPUS)

Recreational Facilities

Normally, Corporation Employees are permitted to use University facilities in the same manner as they are made available to State Employees. Corporation Employees are welcome to enjoy the facilities of the University Student Union including billiards, bowling and movies. Employees and their families are invited to use the designated weight room, swimming pool and other Athletic Facilities according to the policies and procedures established for such use. The O'Neill Park picnic area may be reserved by Corporation Employees by contacting the Space and Facilities Planning Office.

Tickets: Movies/Lectures – University Ticket Office
 Athletic Events – Bulldog Tickets Office
 Musical and Dramatic Productions – Theatre Box Office

Library

Employees are entitled to borrow books and other materials from the University Library in accordance with library regulations. A University auxiliary Employee identification card will be required.

Instructional Media

Equipment such as cameras, projectors and tape recorders may be borrowed from the campus media office subject to the office's regulations. A University auxiliary Employee identification card will be required. Equipment requests must be submitted in advance.

HARASSMENT AND RETALIATION, POLICY AGAINST

The Corporation is committed to providing a work environment free of unlawful harassment and discrimination. Corporation policy prohibits harassment because of sex (which includes sexual harassment, gender harassment and harassment due to pregnancy, childbirth or related medical conditions) and harassment because of race, religion, color, national origin, physical or mental disability, medical condition, marital status, age, sexual orientation, veteran's status or any other basis protected by federal, state, or local law, ordinance or regulation.

The Corporation also prohibits retaliation against any Employee because of the Employee's opposition to a practice the Employee reasonably believes to constitute employment discrimination or because of the Employee's participation in an employment discrimination investigation, proceeding or hearing. Any retaliatory adverse action because of such opposition or participation is unlawful and will not be tolerated.

The Corporation's anti-harassment and retaliation policy applies to all persons involved in the operation of the Corporation and prohibits unlawful harassment and/or retaliation by any Employee of the Corporation, including supervisors and co-workers.

Prohibited unlawful harassment because of sex (which includes sexual harassment, gender harassment and harassment due to pregnancy, childbirth or related medical conditions), race, religion, color, national origin, physical or mental disability, medical condition, marital status, age, sexual orientation, veteran's status, or any other protected basis includes, but is not limited to, the following behavior:

1. Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments;
2. Visual conduct such as derogatory and/or sexually-oriented posters, photography, cartoons, drawings or gestures;
3. Physical conduct such as assault, unwanted touching, blocking normal movement or interfering with work because of sex, race or any other protected basis;
4. Threats and demands to submit to sexual requests as a condition of continued employment, or to avoid some other loss, and offers of employment benefits in return for sexual favors; and
5. Retaliation for having reported or threatened to report harassment.

If any Employee believes that he or she is the victim of harassment or retaliation, including sexual harassment, that Employee should immediately report the incident to an immediate supervisor. If the immediate supervisor is involved in the reported conduct, or, if for some reason the Employee feels uncomfortable about making a report to that individual, the report should be made to Director of Human Resources for the University, who will promptly and clearly inform the Employee of his or her rights to assistance and how to protect and preserve those rights.

The Corporation, through its designated investigator, will fully and effectively investigate any such report and will take whatever corrective action is deemed necessary, including disciplining or discharging any individual who is believed to have violated this prohibition against harassment. The complaining Employee will be informed that action has been taken. However, the complainant may not be advised of specific personnel actions due to the other Employee(s) right to privacy. The Corporation will also take action to protect the complaining Employee and to prevent further harassment or retaliation. The Corporation will attempt to keep the investigation confidential, however, the necessity of speaking to witnesses may result in disclosure of some information.

The Corporation clearly does not tolerate harassment on the basis of any of the categories discussed in this policy and will take appropriate disciplinary action whenever such harassment is demonstrated. Any individuals engaging in such conduct contrary to Corporation policy may be personally liable in any legal action brought against them.

The Corporation encourages all Employees to report any incidents of harassment forbidden by this policy so that complaints can be quickly and fairly resolved. In addition to the Corporation's internal complaint procedure, Employees should be aware that the Federal Equal Employment Opportunity Commission (EEOC) and the California Department of Fair Employment and Housing (DFEH) investigate and prosecute complaints of unlawful harassment and retaliation because of opposition or participation in proceedings related to alleged employment discrimination. Claims must be filed with the EEOC within 300 days or with the DFEH within one year of the action giving rise to the claim. The nearest offices of the EEOC or the State agency are listed in the telephone directory.

HOURS OF WORK

Normal

Each supervisor will determine the hours of work for his or her Employees and any change in working hours will be announced as far in advance as possible by the supervisor. Scheduled hours are assigned by the supervisor/department manager. The standard work week for non-exempt Employees is Sunday through Saturday, forty hours per week, eight hours per day, five days per week. Pre-approved flexible work schedules are permitted that allow an Employee to work, for example, 40 hours over a 4-day period of 10-hour days. Exempt Employees are expected to complete their assigned tasks.

Overtime

Overtime will be compensated in accordance with applicable state and federal law. To work overtime, you must obtain permission in advance from your supervisor. If you work overtime without permission, you may be subject to discipline up to and including termination. Overtime is normally paid in cash.

Rest Periods

Rest breaks of at least 15 minutes are provided for every four hours of work period. This time is not to be taken at the beginning or end of the work period, nor may it be accumulated for later use.

Lunch Period

The length and scheduling of your lunch period shall be determined by your supervisor and shall be for at least 30 minutes after five (5) hours of work. This lunch period does not count as time worked.

Personal Visitors and Calls

Visitors are allowed in the office with a supervisor's permission. Visitors who want to talk to an Employee should do so during a the Employee's break or lunch period. Emergency phone calls may be made or received on Corporation time. Employees should limit personal calls on Corporation time to calls deemed necessary. Any personal long distance calls placed by an Employee must be reimbursed to the Corporation. See "Electronic Communication."

IDENTIFICATION CARD

An identification card is required for all regular Corporation Employees. This card will have the name, and photograph of the Employee. It is the official identification card and key, and is to be carried whenever on University premises or attending University related functions. Some of the benefits of the identification card are:

1. Cashing checks on campus.

2. Checking books out of the University library.
3. Using some University facilities – including sport facilities.
4. Attending specified University programs.

INJURIES ON THE JOB

The following are accepted procedures if an on-the-job injury occurs:

1. Report the accident as soon as possible to the supervisor.
2. Do not seek medical assistance until the supervisor is notified.
3. If medical assistance is needed, go to the Kaiser Medical facility at 7300 N. Fresno Street, or to the Employee's pre-injury selected physician.

If the injury is serious enough to be urgent or life threatening emergency measures should be taken.

1. Call 911 or University security at 278-2132.
2. A co-worker or witness should notify the supervisor and make a statement regarding the accident/injury.

For information on Workers Compensation Insurance for on-the-job injuries, see "Worker's Compensation Disability Leave" in the Benefits section of this handbook.

INVESTIGATIONS OF CURRENT EMPLOYEES

The Corporation may occasionally find it necessary to investigate current Employees, where behavior or other relevant circumstances raise questions concerning work performance, reliability, honesty, trustworthiness, or potential threat to the safety of coworkers or others. Employee investigations may, where appropriate, include credit reports and investigations of criminal records, including appropriate inquiries about any arrest for which the Employee is out on bail. In the event that a background check is conducted, the Corporation will comply with the federal Fair Credit Reporting Act and applicable state laws, including providing the Employee with any required notices and forms. Employees subject to an investigation are required to cooperate with the Corporation's lawful efforts to obtain relevant information, and may be disciplined up to and including termination for failure to do so.

KEYS TO FACILITIES

Arrangements for keys are made by the Employee's manager. All requests for keys require the completion of a key request form by the department manager. Employees will be notified when they may pick up and sign for their keys.

Corporation Employees must return all keys issued to them upon leaving. In the event an Employee is reassigned to a different office, old keys are to be turned in prior to picking up the new keys. Keys must be returned to Environmental Health and Safety Key Control.

All questions regarding key issues and lost or stolen keys must be addressed to Environmental Health and Safety.

NCAA RULES VIOLATIONS

All Employees of the athletic corporation at California State University, Fresno, shall report any and all violations of NCAA rules that they have committed. Furthermore, all corporation Employees shall report NCAA rules violations if they have knowledge of other programs committing rules violations.

The following steps will be followed to ensure **all alleged violations** are addressed, investigated and reported as necessary.

1. Information of a possible rules violation must be reported to the Compliance Administrator, or another administrator within the athletics department. When a violation is reported to the AD or another administrator, it must also be reported to the Compliance Administrator.

If for some reason the coach or staff member is unwilling to report a possible rules violation to the Compliance Administrator, Athletic Director or another administrator, they will be required to report the violation to the Chair of the Athletic Corporation, Director of Human Resources or the President.

2. The Compliance Administrator will make a preliminary inquiry to determine if a violation did occur. The President may assign a designee to assist or conduct the investigation when deemed appropriate. This determination will be made with the assistance of the NCAA and the Conference Office when necessary.
3. If a violation did not occur, the Compliance Administrator will prepare a memorandum explaining the decision and the Athletic Director will be informed. The person originally reporting the possible rules violation will be advised of the action taken by the Compliance Administrator.
4. If it appears a violation has occurred and it is secondary in nature, the Compliance Administrator will write a self-report to the NCAA. Copies of this report are provided to the President, the Athletic Director, the Sport Supervisor, the Conference Office and the staff member involved.
5. If the violation appears to be major in nature, the President will be notified immediately. The President will decide whether to appoint outside legal counsel or another institutional staff member to conduct the investigation. The appointed person and/or the Compliance Administrator will then initiate an investigation to determine all facts surrounding the allegation. Witnesses will be called and statements will be taken. The Athletic Director will be kept apprised of the proceedings, as directed by the President.
6. After the investigation is completed, a meeting will be arranged with the Compliance Administrator, outside legal counsel (if needed), the Athletic Director, the President, and the Chair of the Athletic Corporation Board, to discuss the outcome of the investigation. The intent of the meeting is to make a determination as to the extent of the infraction (e.g., secondary or major), if the eligibility of a student-athlete is affected, and what penalties and corrective action is necessary.
7. The Compliance Administrator or outside legal counsel will write a final report and forward it to the NCAA. If appropriate, copies of the final report are provided to the Conference Office, the President, the Athletics Director, the Sport Supervisor, and the Coach.

8. The Compliance Administrator and outside legal counsel, if needed, will follow up with the NCAA - especially in cases involving the eligibility restoration of a student-athlete.

NEPOTISM

Relatives of Employees may be eligible for employment with the Corporation only if individuals involved do not work in a direct supervisory relationship, or in job positions in which a conflict of interest could arise. "Relatives" are defined to include spouses, children, siblings, parents, in-laws and step-relatives. Present Employees who marry will be permitted to continue working in the job position held only if they do not work in direct supervisory relationship with one another or in job positions involving a conflict of interest. The Corporation shall not hire relatives when actual or potential problems may arise regarding supervision, security, safety, or morale or when potential conflicts exist, unless the Athletic Director has determined that reasonable accommodations can be made to eliminate actual or potential problems.

OUTSIDE EMPLOYMENT

Corporation Employees agree that while employed by the Corporation, during the Corporation's normal business hours, Employees shall devote their entire productive time, ability and attention to the business of the Corporation. Employees further agree that during the period of employment by the Corporation, they will not, without the Corporation's prior written consent, directly or indirectly engage in any employment, consulting, or other activity which would conflict with their employment obligations to the Corporation.

Employees may hold jobs outside of their Corporation employment as long as they continue to meet the performance standards of their job with the Corporation. All Employees will be judged by the same performance standards and will be subject to the Corporation's scheduling demands regardless of any existing outside work requirements.

If the Corporation determines that an Employee's outside work interferes with performance or the ability to meet the requirements of this organization as they are modified from time to time, the Employee will be asked to terminate the outside employment if he or she wishes to remain with the Corporation.

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from an individual(s) or organizations outside of the Corporation for materials produced or services rendered while performing their jobs for the Corporation.

PARKING

Paid parking is required at all campuses in the California State University and Colleges system. A Corporation Employee wishing to park on campus must obtain a parking permit, which may be purchased at the beginning of each semester at the Cashier's window in the Joyal Administration Building. Permanent permits for twelve-month Employees may be purchased through payroll deduction on a monthly basis. Daily permits are available from machines located at lot entrances.

PAY ADVANCES

Two forms of pay advances are available. The first may be authorized only during a new Employee's first two weeks of employment. The second, used in case of emergency, may be authorized for a medical reason or the resolution of a problem that would prohibit an Employee from coming to work.

An emergency pay advance is limited to 50% of pay earned to the date of the request. All payroll advances must be approved by a senior Corporation Administrator.

PAY PERIODS

Corporation Employees are paid twice a month, –approximately on the 1st and the 16th for salaried Employees and the 7th and the 22nd for hourly Employees, adjusted for weekends and holidays. Pay date schedules are published once a year.

Checks may be picked up in the North Gym Main Athletic Office between the hours of 9:00 a.m. and 4:00 p.m. on pay dates. Arrangements to have checks mailed to the Employee's home, or for automatic deposit to Employee's bank may be made through the Athletic Payroll office.

PERSONAL APPEARANCE AND CONDUCT

Personal neatness and cleanliness are required because of the many daily contacts made with the general public, faculty and students. Employees of the Corporation must present a professional appearance. In some positions, uniforms, standard work clothes or safety equipment may be required. The supervisor should be contacted for details.

PERSONNEL FILES

Corporation Employee personnel files are maintained in Human Resources, Joyal Building, Employment Services. These files are confidential. However any Employee may contact Employment Services and make an appointment to review his or her personnel file. Access to these is restricted to the Employee, his or her supervisor, senior Corporation administration, and Human Resources personnel as needed. While Employees may request copies of documents in the file that they have signed or received, files may not be removed from Employment Services.

PROPERTY, PRIVACY AND SEARCHES

Desks, storage areas, work areas, lockers, file cabinets, credenzas, computer systems, telephones, pagers, modems, facsimile machines, duplicating machines and Corporation vehicles are the Corporation's property and must be maintained according to this policy. All such areas and items must be kept clean and are to be used only for work purposes, except as provided in this policy. The Corporation reserves the right, at all times, and without prior notice, to inspect and search any and all Corporation property for the purpose of determining whether this policy or any other Corporation policy has been violated, or whether such inspection and investigation is necessary for purposes of promoting safety in the workplace or compliance with state and federal laws. Such inspections may be conducted during or outside of business hours and in the presence or absence of the Employee.

As indicated in the section titled Electronic Communications, the Employee has no right of privacy as to any information or file maintained in or on Corporation property or transmitted or stored through the Corporation's computer systems, voice mail, E-mail or other electronic resources. For purposes of inspecting, investigating or searching Employee's computerized files or transmissions, voice mail, or E-mail, the Corporation may override any applicable passwords or codes in accordance with the best interests of the Corporation, its Employees, or its clients, customers or visitors. All bills and other documentation related to the use of the Corporation equipment or property are the property of Corporation and may be reviewed and used for purposes that Corporation considers appropriate.

Employees may access only files or programs, whether computerized or not, that they have permission to enter. Unauthorized review, duplication, dissemination, removal, damage or alteration of files, passwords, computer systems or programs, or other property of the Corporation, or improper

use of information obtained by unauthorized means, may be grounds for disciplinary action, up to and including termination.

REGULAR STATUS

Regular status in a job classification is granted if all of the following conditions apply:

1. The position is a full-time position.
2. The position has not been declared an executive position by the Board of Directors.
3. The position is not a coaching track position.

Annual evaluations continue after an Employee is granted regular status.

REPORTING OF MISCONDUCT

Employees shall report and/or disclose any conduct or behavior by any Corporation Employee when the Employee has reasonable cause to believe that the information discloses a violation of state or federal statute, or violation or noncompliance with a state or federal regulation, or university policy or procedure.⁴ Such conduct shall be reported to the Athletic Director and/or any member of the Corporation Board. Should the misconduct relate to the Board, then the Employee shall report such conduct to the President. Pursuant to California Labor Code section 1102.5, the Employee may also report any misconduct to the applicable state or federal agency. It is unlawful for the Corporation to retaliate against any Employee for disclosing information pursuant to this paragraph where the Employee has reasonable cause to believe that the information discloses a violation of state or federal statute, or violation or noncompliance with a state or federal regulation.. Should an Employee be subjected to retaliation, the Employee shall follow the same reporting procedure as outlined above in this policy.

REQUIREMENTS FOR EMPLOYMENT

The following are requirements for employment with the Corporation:

1. A valid Social Security Number;
2. Completed W-4 and I-9 forms;
3. A completed employment application, and satisfactory background check when appropriate;
4. Ability to perform the essential functions of the job, including demonstrated physical condition, if applicable to the position;
5. The appropriate documentation establishing the right to work in the United States in compliance with state and federal law;
6. Insurability - All Employees must remain insurable under Corporation's general liability insurance policy. If any Employee is declared uninsurable by Corporation's insurance company, the Employee will immediately be considered ineligible for further employment and will be considered to have voluntarily terminated his/her employment as of the date of notification by the insurance company of uninsurability.

⁴ For NCAA questions, refer to section entitled "NCAA Rules Violations."

7. Drug and Alcohol Program - Corporation reserves the right to require drug and/or alcohol testing of any applicant after an offer of employment has been made or Employee in accordance with the Drug Testing Policy herein. (See Testing Program, #1)
8. Prospective Employees who will be required to drive Corporation vehicles will provide the Corporation with current and acceptable motor vehicle driving information. Employment and assignment will be conditional pending the receipt of a satisfactory report from the State of California, Department of Motor Vehicles.
9. Must maintain a valid State of California driver's license and at least the minimum auto insurance as required by California law if using your personal vehicle for Corporation business.

SAFETY

Following safety procedures, rules and regulations is a condition of employment. Failure to do so may be cause for disciplinary action. It is the responsibility of the Employee to file State of California form SR-1 if involved in an automobile accident. In order to form the habit of working safely, Corporation Employees should do the following:

1. Always use personal safety equipment provided.
2. Report all dangerous conditions.
3. Report all accidents, even minor ones.
4. Suggest ways to prevent accidents.
5. Watch the bulletin board for safety notices.

SALARY INCREASES AND PROMOTIONS

Employees normally start on the first step of a salary scale or hourly range. Pay increases are at the discretion of management and may include general salary increases and merit increases, comparable to those received by campus state Employees.

As far as practical, reclassification and promotion of Employees to more responsible positions occur on the basis of performance and ability. Reclassification requests are submitted by the supervisor to the Director of Human Resources for appropriate review.

SMOKING

Fresno State is a smoke-free campus with a limited number of designated smoking areas. Smoking is prohibited inside any building within the State. Employees may smoke only in areas designated as smoking areas on campus.

SOLICITATION

Solicitation and distribution of literature of any kind by an Employee or outside solicitor during working hours is prohibited. Any person who violates any provision of this notice shall be subject to immediate dismissal.

STANDARDS OF CONDUCT⁵

The Corporation expects Employees to observe a standard of conduct which will maintain an orderly, positive and productive workplace. Such a standard of conduct will benefit and protect both the Corporation and all Employees.

Behavior that violates this standard of conduct will subject Employees to discipline up to and including termination.

The listing of the following unlawful actions, improper behavior and work standards does not in any way detract from or alter the right of the Corporation or the Employee to terminate the employment relationship at any time, with or without notice, with or without cause. The Corporation also retains the right to demote, transfer, change job duties, and change compensation at any time with or without notice and with or without cause in its sole discretion. See "Employment Policy - At Will."

The disciplinary action used to maintain the standards of conduct will be determined in light of the facts and circumstances of each individual case. Nothing herein prohibits the Corporation from immediately terminating and Employee. This is not a progressive discipline policy as the Corporation does not have a progressive discipline policy. Each incident will be considered in light of a variety of factors, including:

1. The seriousness of the incident and the circumstances;
2. The Employee's past conduct;
3. The nature of any previous incidents; and,
4. The general practice as it relates to the incident.

Although not all inclusive, the following list represents the kinds of behavior that will be considered improper and unacceptable in the workplace, and may subject Employees to the above mentioned discipline:

1. Unlawful Actions:
 - a. Stealing private, state, or Corporation property;
 - b. Gambling on Corporation or state property;
 - c. Destruction or defacement of private or Corporation property;
 - d. Possession, sale, use or being under the influence of illicit drugs on state or Corporation property or during working hours. If an Employee must use a prescription drug which may impact his/her ability to safely perform his/her work during working hours, written authorization from a doctor must be given to the supervisor;

⁵ Refer also to section entitled "Code of Conduct."

- e. Violation of traffic or parking regulations while using Corporation or customer vehicles. Also, failure to properly report any type of accident involving a Corporation or customer vehicle.

2. Improper Behavior:

- a. Falsification or misrepresentation of information on any form or document prepared as a result of Employee's employment with the Corporation, e.g., time cards, applications, personnel records, financial forms;
- b. Possession, use or being under the influence of alcohol on state or Corporation property during working hours;
- c. Fighting on state or Corporation property;
- d. Immoral or indecent conduct on state or Corporation property;
- e. Sleeping during work time;
- f. Threats, intimidation including using obscene, abusive or threatening language to any campus Employees, students, or members of the public;
- g. Carrying or bringing a weapon or concealed weapon to work including: bringing any type of concealed weapon in a personal or Corporation vehicle used for Corporation business; bringing weapons of any kind onto any state or Corporation property or work site;
- h. Disorderly conduct which disrupts the business of the Corporation;
- i. Making defamatory or false statements detrimental to the University, the Corporation operations or its good standing in the community.

3. Work Standards:

- a. Disregarding instruction of a supervisor or proper authority;
- b. Failure to act in a professional manner at all times with Employees, students and customers;
- c. Failure to notify a supervisor within fifteen (15) minutes of the beginning of a shift that the Employee will not be reporting to work;
- d. Leaving work area, job assignment or department during working hours without proper authorization;
- e. Failure to observe work schedules including rest and lunch periods;
- f. Failure to observe safety rules and regulations;
- g. Inefficiency, lack of productive effort or other unsatisfactory work performance;
- h. Unauthorized use of Corporation time, materials or equipment for personal activities;

- i. Unsuitable or improper attire for the work situation;
- j. Failure to report to work for five (5) consecutive working days without proper authorization. Employees failing to report to work for five (5) days with no authorization to be absent will be considered to have voluntarily terminated their employment;
- k. Excessive number of absences or tardies;
- l. Smoking in areas not designated for smoking;
- m. Personal use of a Corporation vehicle, including travel outside the Corporation working area is strictly prohibited. Corporation vehicles are only to be used for Corporation business, commuting to and from work and occasional local use;
- n. Being on the premises at unauthorized times without proper reason or loitering before and after shifts;
- o. Adding personal software to Corporation computers without prior written authorization is strictly prohibited;
- p. Inappropriate use of e-mail, voice mail or other electronic equipment;
- q. Unauthorized or inappropriate dissemination of Corporation or university business information or Employee personal data to individuals or organizations outside of the Corporation;
- r. Unauthorized or inappropriate dissemination of confidential information or Employee personal data to individuals or areas within the Corporation.

SUBPOENAS

A subpoena is a form order issued from a court or an administrative agency, which compels the attendance of a witness and/or production of documents, at a particular time and location. There are many different kinds of subpoenas, and their requirements vary depending on the nature of the underlying proceedings in which they are issued.

Witness

In the event that a subpoena calls for the appearance of a Corporation Employee in connection with their work, the subpoena must be served upon that witness personally. Immediately upon receipt of the subpoena, the Employee must notify Human Resources. The Employee will be asked to forward a copy of the document to the Vice President for Administration (VPA) and Director of Human Resources. If the Director of Human Resources determines that legal counsel is necessary, the Corporation will provide an attorney at no cost to the Employee. Employees shall never in connection with Corporation business contact any legal counsel without the express permission of the Director of Human Resources. Corporation Employees who must appear as a witness in connection with Corporation employment will continue to receive regular pay during the period of witness service.

Records

In the event that a subpoena calls for the production of documents, the subpoena shall be delivered to the VPA and Human Resources. If a subpoena is inadvertently accepted by someone outside of

Human Resources, the recipient must immediately contact Human Resources and deliver the original document to Human Resources no later than the end of the same business day.

If the subpoena requests the production of employment records, Human Resources will have responsibility for responding to the subpoena. If the subpoena requests the production of documents other than employment records, the Director of Human Resources will coordinate the response to the subpoena in concert with the appropriate custodian of records.

TAX SHELTERED ANNUITIES

Regular full-time Corporation Employees are eligible to participate in tax sheltered annuity plans. Information may be obtained from the Athletic Benefits office.

TELEPHONE USE

The Corporation recognizes that Employees may occasionally find it necessary to use the Corporation's telephones for personal business. Such calls must be kept to a minimum and must be made only during break or lunch periods. All personal, long distance telephone calls must be reported to the Corporation in a timely manner and charged to the Employee who made the call.

TERMINATION OF EMPLOYMENT

A dated resignation letter should be submitted to the supervisor with a copy for Human Resources. The letter should state the reason for leaving, the effective date of resignation, the Employee's last working day, and any other information the Employee considers pertinent. The resignation letter will be included in the Employee's official personnel file. The resignation must be acknowledged in writing by the Employee's manager or the Athletic Director.

Prior to separation, an appointment must be scheduled with the Athletic Benefits Office to discuss insurance coverage(s), disposition of retirement system contributions, and accrued vacation.

The Public Employees' Retirement System (PERS) regulations provide that Employee's contributions may be withdrawn following termination of employment; however, an Employee may elect to leave their contributions in the system and retain the right to a future retirement allowance.

A lump sum payment will be prepared for vacation unless the department manager has approved an Employee's request to remain on payroll until vacation expire. Since this decision affects the cut-off date of payroll deductions such as health insurance premiums, it is wise for the Employee, in consultation with the Athletic Benefits Office, to consider carefully each option.

VEHICLES (CORPORATION)

Any Employee driving a Corporation vehicle is responsible for obeying all of the traffic laws, including the seat belt law. A copy of the Employee's driver's license must be on file with the Athletic Business Office. All traffic violations, parking tickets and fines are the responsibility of the Employee.

POLICIES AGAINST WORKPLACE VIOLENCE

Statement of Policy

The Corporation recognizes that violence in the workplace is a growing nationwide problem necessitating a firm, considered response by employers. The costs of workplace violence are great, both in human and financial terms. We believe that the safety and security of the Corporation Employees are paramount. Therefore, the Corporation has adopted this policy regarding workplace violence.

Acts or threats of physical violence, including intimidation, harassment, and/or coercion, that involve or affect the Corporation or that occur on Corporation property or in the conduct of Corporation business off Corporation property, will not be tolerated. This prohibition against threats and acts of violence applies to all persons involved in Corporation operations, including, but not limited to, Corporation personnel, contract workers, temporary employees, and anyone else on Corporation property or conducting Corporation business off Corporation property. Violations of this policy, by any individual, will lead to disciplinary and/or legal action as appropriate.

This policy is intended to bring the Corporation into compliance with existing legal provisions requiring employers to provide a safe workplace; it is not intended to create any obligations beyond those required by existing law.

Definitions

Workplace violence is any intentional conduct that is sufficiently severe, offensive, or intimidating to cause an individual to reasonably fear for his or her personal safety or the safety of his or her family, friends, and/or property such that employment conditions are altered or a hostile, abusive, or intimidating work environment is created for one or several Corporation Employees. Workplace violence may involve any threats or acts of violence occurring on Corporation premises, regardless of the relationship between the Corporation and the parties involved in the incident. It also includes threats or acts of violence that affect the business interests of the Corporation or that may lead to an incident of violence on Corporation premises. Threats or acts of violence occurring off Corporation premises that involve Employees, agents, or individuals acting as a representative of the Corporation, whether as victims of or active participants in the conduct, may also constitute workplace violence. Specific examples of conduct that may constitute threats or acts of violence under this policy include, but are not limited to, the following:

1. Threats or acts of physical or aggressive contact directed toward another individual;
2. Threats or acts of physical harm directed toward an individual or his/her family, friends, associates, or property;
3. The intentional destruction or threat of destruction of Corporation property or another Employee's property;
4. Harassing or threatening phone calls;
5. Surveillance;
6. Stalking;
7. Veiled threats of physical harm or similar intimidation; and
8. Any conduct resulting in the conviction under any criminal code provision relating to violence or threats of violence that adversely affects the Corporation's legitimate business interests. Workplace violence does not refer to occasional comments of a socially acceptable nature. These comments may include references to legitimate sporting activities, popular entertainment, or current events. Rather, it refers to behavior that is personally offensive, threatening, or intimidating.

Enforcement

Any person who engages in a threat or violent action on Corporation property may be removed from the premises as quickly as safety permits and may be required, at the Corporation's discretion, to remain off Corporation premises pending the outcome of an investigation of the incident.

When threats are made or acts of violence are committed by Employee(s), a judgment will be made by the Corporation as to what actions are appropriate, including possible medical evaluation and/or possible disciplinary action.

Once a threat has been substantiated, it is the Corporation's policy to put the threatmaker on notice that he/she will be held accountable for his/her actions and then implement a decisive and appropriate response.

Under this policy, decisions may be needed to prevent a threat from being carried out, a violent act from occurring, or a life-threatening situation from developing. No existing policy or procedure of the Corporation should be interpreted in a manner that prevents the making of these necessary decisions.

Important Note: the Corporation will make the sole determination of whether, and to what extent, threats or acts of violence will be acted upon by the Corporation. In making this determination, the Corporation may undertake a case-by-case analysis in order to ascertain whether there is a reasonable basis to believe that workplace violence has occurred. No provision of this policy shall alter the at-will nature of employment at the Corporation.

SECTION II – BENEFITS

EMPLOYEE ASSISTANCE PROGRAM

To assist Employees with both work-related and personal problems (i.e., psychological, alcohol-drugs, marital-family, medical, financial) which may have an adverse effect on an Employee's job performance and attitude, Employee Assistance & Development (EA&D) offers consultation, assessment and referral services. This office ensures that Employees at all levels have the opportunity to obtain the best professional help in an atmosphere of understanding, privacy and complete confidentiality. EA&D services are available to all Employees and their families. Self-referral is encouraged. With the supervisor's permission, an Employee may use the services of the EA&D office on Corporation time. However, if the Employee does not wish to seek the supervisor's permission, then the EA&D services must be used during the Employee's non-work hours.

In addition, EA&D regularly offers a wide range of programs, workshops and classes to promote personal, physical and social health and well-being. With a few exceptions, all EA&D services and activities are offered free of charge.

LEAVES OF ABSENCE

Bereavement Leave

Upon request to the appropriate manager, Employees are granted two-days leave of absence with pay for each death of a immediate family members, specifically including spouse, domestic partner, Employee's or Employee's spouse's mother, father, grandmother, grandfather, grandchild, son, son-in-law, daughter, daughter-in-law, brother, sister or a relative living in the Employee's household. If travel over 500 miles round-trip from home is required, two consecutive days leave of absence with pay may be granted. Approved bereavement leaves of absence are not charged against an Employee's accumulated leave credits.

Family and Medical Leaves

The Corporation will grant family and medical leave in accordance with the requirements of applicable state and federal law in effect at the time the leave is granted. No greater or lesser leave benefits will be granted than those set forth in the relevant state or federal laws. In certain situations, the federal law requires that provisions of state law apply. In any case, Employees will be eligible for the most generous benefits available under either law.

Please contact your supervisor as soon as you become aware of the need for a family and medical leave. The following is a summary of the relevant provisions.

Employee Eligibility

To be eligible for family and medical leave benefits, you must: (1) have worked for the Corporation for a total of at least 12 months; (2) have worked at least 1,250 hours over the previous 12 months; and (3) work at a location where at least 50 Employees are employed by the Corporation within 75 miles.

Leave Available

Eligible Employees may receive up to a total of 12 workweeks of unpaid leave during a 12-month period. A 12-month period begins on the date of the Employee's first use of federal family and medical leave. Successive 12-month periods commence on the date of an Employee's first use of family and medical leave after the preceding 12-month period has ended.

Leave may be used for one or more of the following reasons: (1) for the birth or placement of a child for adoption or foster care; (2) to care for an immediate family member (spouse, child, or parent) with a serious health condition; or (3) to take medical leave when the Employee is unable to work because of a serious health condition. Under some circumstances, Employees may take family and medical leave intermittently-which means taking leave in blocks of time, or by reducing their normal weekly or daily work schedule. If you are pregnant, you may have the right to take a pregnancy disability leave in addition to a family and medical leave. Please review the pregnancy disability leave policy below and notify your supervisor or the Director of Human Resources if you need leave due to your pregnancy.

Certain restrictions on these benefits may apply.

Notice & Certification

If you need family and medical leave, you may be required to provide:

1. 30-day advance notice when the need for the leave is foreseeable;
2. Medical certification from a health-care provider (both prior to the leave and prior to reinstatement);
3. Periodic recertification; and
4. Periodic reports during the leave.

When leave is needed to care for an immediate family member or your own serious health condition, and is for planned medical treatment, you must try to schedule treatment so as not to unduly disrupt the Corporation's operation.

Compensation During Leave

Family and medical leave is unpaid. The Corporation may require you to use accrued paid leave (such as paid time off and vacation leave) to cover some or all of the family and medical leave. The use of paid time off will not extend the length of a family and medical leave.

Benefits During Leave

The Corporation will maintain, for up to a maximum of 12 workweeks of family and medical leave, any group health insurance coverage that you were provided before the leave on the same terms as if you had continued to work. In some instances, the Corporation may recover premiums it paid to maintain health coverage if you do not return to work following family or medical leave.

If you are on family and medical leave but you are not entitled to continued paid coverage, you may continue your group health insurance coverage through the Corporation in conjunction with federal COBRA guidelines by making monthly payments to the Corporation for the amount of the relevant premium. Please contact your supervisor for further information.

Job Reinstatement

Under most circumstances, upon return from family and medical leave, you will be reinstated to your previous position, or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. However, upon return from a family and medical leave, you have no greater right to reinstatement than if you had been continuously employed rather than on leave. For example, if you would have been laid off had you not gone on family and medical leave, or if your position has been eliminated during the leave, then you will not be entitled to reinstatement.

If you are returning from family and medical leave taken for your own serious health condition, but you are unable to perform the essential functions of your job because of a physical or mental disability, the Corporation will attempt to accommodate you. Your use of family and medical leave will not result in the loss of any employment benefit that you earned or were entitled to before using family and medical leave.

Unlawful Acts

It is unlawful for the Corporation to interfere with, restrain, or deny the exercise of any right provided by state or federal family and medical leave law. It is also unlawful for the Corporation to refuse to hire or to discharge or discriminate against any individual for being involved in any proceedings related to family and medical leave.

Leave To Vote

An Employee who would otherwise be unable to vote outside of his/her regular working hours may be granted up to two (2) hours of work time without loss of pay to vote at a general, direct primary, or presidential primary election. Employees shall be required to request such leave time from the supervisor at least two (2) working days prior to the election.

Military Leave (active and reserve service)

Leave without pay is provided to Employees who enter military service of the Armed Forces of the United States or are in the Armed Forces Reserves. Employees returning from military leave are afforded reemployment rights and retain full seniority benefits for all prior service upon reemployment in accordance with the Universal Military Training And Service Act. Employees seeking military leave must bring their military service orders to Human Resources for review prior to commencement of the leave. Employees should contact their supervisor as soon as they are aware of the need for a military leave. At the time of the request, they will be provided with a copy of the Corporation's Leave of Absence Policy.

Employee Eligibility

Regular full-time and part-time Employees are eligible for military leave regardless of their length of employment.

Leave Available

Employees will receive a military leave in accordance with the requirements of their military service orders.

If the Employee is ordered to attend annual military reserve training of up to 17 days per year, the Employee will not be placed on military service leave; instead, the Employee will be given an excused absence without pay.

Compensation During Leave

Military leave is without pay. However, Employees may use accrued vacation or any other paid time off during the leave.

Benefits During Leave

If an Employee taking military leave would be eligible under federal or state family and medical leave laws, the Corporation will maintain health insurance coverage for up to a maximum of 12 workweeks per 12-month period at the level and under the conditions of coverage as if the Employee had continued in employment continuously for the duration of such leave. The Corporation will continue to make the same premium contribution as if the Employee had continued working. If ineligible

under the state and federal family and medical leave laws, Employees on military leave will receive continued coverage on the same basis as Employees taking other leaves.

Reinstatement

An Employee returning from active military service within 90 days of discharge (or release from hospitalization that continued following discharge) will be offered the same position held at the time of leaving, unless the job no longer exists, or the job has been filled in order to avoid undermining the Corporation's ability to operate safely and efficiently, or the Employee is not capable of performing the job responsibilities. If the Employee's former position is not available, a substantially similar position will be offered unless there is no substantially similar position available, or the Employee's filling the available position would substantially undermine the Corporation's ability to operate safely and efficiently, or the Employee is not capable of performing the job responsibilities.

Personal Leave

All regular Employees who have been employed for at least one year may, at the discretion of management, be granted an unpaid leave of absence provided there are good and sufficient reasons, such as family illness or urgent personal need. A request for leave of absence must be made in writing to the appropriate administrator who will respond in writing either granting or denying the request. A leave of absence for personal emergency may not exceed 30 days in any one-year period of time. Authorized leave is necessary to cover absence for any reason. It is the responsibility of the Employee to report anticipated absences immediately to the supervisor.

The number of Employees on a personal leave of absence at any one time shall be subject to the reasonable requirements of the Corporation with respect to the efficient and orderly operation of the Corporation.

For those Employees receiving group health benefits, the Corporation does not pay the Employee group health premiums during a leave of absence. Employees wishing to maintain their insurance coverage during a leave of absence must prepay health insurance premiums on a monthly basis, if they elect to continue insurance coverage under COBRA. If an Employee takes a leave of absence of less than one (1) month and elects to continue insurance under COBRA, the premium must be paid by the Employee on a pro-rata basis.

Benefit credit will not be accrued towards vacation and sick leave for the duration of the leave. Employees returning from a leave of absence during the course of a calendar year will receive only a prorated portion of sick leave and vacation benefits for the duration of that year.

A return to work from a leave of absence is contingent upon an available opening at that time and should be verified with the appropriate administrator before reporting back to work. Requests to return early from a leave must be made in writing and are subject to prior approval of the appropriate administrator.

An Employee who is granted a leave of absence must utilize any unused sick leave and vacation benefits during the period of his or her personal leave. The use of sick leave or vacation during a leave of absence does not extend the maximum one year period allowed.

Any Employee who fails to report for work at the end of an approved leave may be deemed to have voluntarily resigned. Any Employee who does not return to his or her job is eligible for continued insurance coverage under COBRA.

Pregnancy Disability Leave

The Corporation will grant an unpaid pregnancy disability leave to Employees disabled on account of their pregnancy, childbirth, or related medical conditions. Employees should contact their supervisor as soon as they become aware of the need for a pregnancy disability leave. At the time of the request, they will be provided with a copy of the Corporation Leave of Absence Policy.

Leave Available

An Employee disabled due to pregnancy, childbirth, or related medical condition may take up to a maximum of four months leave. As an alternative, the Corporation may transfer the Employee to a less strenuous or hazardous position if the Employee so requests, with the advice of her physician, if the transfer can be reasonably accommodated.

Leave taken under the pregnancy disability policy runs concurrently with family and medical leave under federal law, but not family and medical leave under California law.

Notice and Certification Requirements

Employees requesting to take a pregnancy disability leave must provide the Corporation with reasonable advance notice. In addition, Employees must provide the Corporation with a certification from a healthcare provider.

Compensation During Leave

Pregnancy disability leaves are without pay. However, Employees may utilize accrued vacation time and any other accrued paid time off during the leave.

Benefits During Leave

If the Employee taking pregnancy disability leave is eligible under the federal or state family and medical leave laws, the Corporation will maintain group health insurance coverage for up to a maximum of 12 workweeks if such insurance was provided before the leave was taken and on the same terms as if the Employee had continued to work. In some instances, the Corporation may recover premiums it paid to maintain health coverage for an Employee who fails to return to work following pregnancy disability leave. If ineligible under the federal and state family and medical leave laws; Employees on pregnancy disability leaves will receive continued paid coverage on the same basis as Employees taking other leaves.

Employees on pregnancy disability leave who do not receive continued paid coverage, or whose paid coverage ceases after 12 workweeks, may continue their group health insurance coverage through the Corporation in conjunction with federal COBRA guidelines by making monthly payments to the Corporation for the amount of the relevant premium. Employees should contact their supervisor for further information (this provision only applies to Employees receiving group health benefits).

Reinstatement

Upon the submission of a medical certification that the Employee is able to return to work, the Employee will be offered the same position held at the time of leaving, unless the job no longer exists or the job has been filled in order to avoid undermining the Corporation's ability to operate safely and efficiently, or the Employee is not capable of performing the job responsibilities upon return. If the Employee's former position is not available, a comparable position will be offered unless there is no comparable position available, or filling the available position would substantially undermine the Corporation's ability to operate safely and efficiently, or the Employee is not capable of performing the job responsibilities. If an Employee returning from pregnancy disability leave is unable to perform the essential functions of the job because of a physical or mental condition, the Corporation's obligations to that Employee may be governed by the Americans With Disabilities Act.

Maternity/Paternity/Adoption Leave

“Maternity/paternity/adoption leave” shall refer to a leave for the purpose of a parent preparing for the arrival of a new infant/child and/or the care of a new infant/child.

Employees of the Corporation shall be entitled to apply for up to thirty (30) workdays of “maternity/paternity/adoption leave.” Such leave shall commence within sixty (60) days of the arrival of a new child and shall be in addition to available sick leave and to available vacation leave. Paid maternity/paternity/adoption leave runs concurrently with any other related leaves for which the employee is eligible. The employee at his/her discretion may use up to 5 days of vacation credits to apply towards the Employment Development Department’s [EDD] mandatory seven-day waiting period for its Paid Family Leave [PFL] insurance program. Supplemental pay for maternity/paternity/adoption leave paid by the Corporation will not exceed the difference between gross base wages of the employee and PFL benefits for which the eligible employee is entitled to apply.

Authorization for such leave and for supplemental pay from the Corporation is subject to administrative approval through the employee’s application for a Leave of Absence. Approval is also subject to receipt of documents required to substantiate the employee’s need for maternity/paternity/adoption leave by the Athletic Corporation Benefits Coordinator. It is the responsibility of the employee applying for the leave to ensure that appropriate documentation is provided to the Athletic Corporation Benefits Coordinator.

To be eligible for supplemental pay from the Corporation, an employee must provide initial and on-going documentation from the EDD enabling the Athletic Corporation Benefits Coordinator to make the correct calculations for supplementing the employee’s paid leave up to a maximum of 30 workdays. If the employee fails to provide any of the requested documentation, supplemental pay will stop immediately. The Corporation will take action to deduct from the employee’s wages an amount equal to the undocumented supplemental wages paid for leave.

Supplemental maternity/paternity/adoption leave pay through the Corporation will not be authorized if the employee is receiving SDI, UI or Workers’ Compensation benefits.

Sick Leave

Sick leave is earned at the rate of eight (8) hours for every 173.33 regular hours (one month) worked. It is credited after the completion of a full calendar month. Sick leave is not earned during overtime. Sick leave is provided so that Employees will not be financially handicapped if unable to work due to:

1. Illness or injury.
2. Exposure to contagious disease.
3. Dental, eye or other physical or medical examinations or treatment by a licensed physician.
4. Required attendance of an ill or injured mother, father, husband, child, brother or sister, or any person residing in the Employee’s immediate household except servants, roomers or roommates.
5. The death of a person related by blood, by adoption, or by marriage or any resident of the immediate household. Each such absence shall not exceed five days.

In order to guarantee a continuous income during sickness or injury, sick leave should be conserved whenever possible. Sick leave is accumulated with no limit and can be used in the benefit calculation at the time of PERS retirement. For further information see the section on Absenteeism, or contact the Payroll office.

Workers' Compensation Disability Leave

The Corporation will grant a workers' compensation disability leave to Employees with occupational illnesses or injuries in accordance with state law. As an alternative, the Corporation will try to reasonably accommodate such Employees with modified work, if available. Leave taken under the workers' compensation disability policy runs concurrently with family and medical leave under both federal and state law. Employees should contact their supervisor as soon as they become aware of the need for a workers' compensation disability leave.

Notice and Certification Requirements

Employees must report all accidents, injuries and illnesses no matter how small to their immediate supervisor. In addition, Employees must provide the Corporation with a certification from a healthcare provider.

Compensation During Leave

Workers' compensation disability leaves are without pay. However, Employees may utilize accrued vacation time and any other accrued paid time off during the leave. All such payments will be coordinated with any state disability workers' compensation or other wage reimbursement benefits for which they may be eligible. At no time shall an Employee receive a greater total payment than the Employee's regular salary.

Benefits During Leave

If the Employee taking workers' compensation disability leave is eligible under the federal or state family and medical leave laws, the Corporation will maintain group health insurance coverage for up to a maximum of 12 workweeks if such insurance was provided before the leave was taken and on the same terms. In some instances, the Corporation may recover premiums it paid to maintain health coverage for an Employee who fails to return to work following workers' compensation disability leave. If ineligible under the federal and state family and medical leave laws, Employees on workers' compensation disability leaves will receive continued coverage on the same basis as Employees taking other leaves.

Employees on workers' compensation disability who do not receive continued paid coverage, or whose paid coverage ceases after 12 workweeks, may continue their group health insurance coverage through the Corporation in conjunction with federal COBRA guidelines by making monthly payments to the Corporation for the amount of the relevant premium. Employees should contact the Corporation's Payroll office for more information.

Reinstatement

Upon the submission of a medical certification that the Employee is able to return to work, the Employee will be offered the same position held at the time of leaving, unless the job no longer exists or the job has been filled in order to avoid undermining the Corporation's ability to operate safely and efficiently, or the Employee is not capable of performing or qualified to perform the job responsibilities upon return. If the Employee's former position is not available, a substantially similar position will be offered unless there is no substantially similar position available, or filling the available position would substantially undermine the Corporation's ability to operate safely and efficiently, or the Employee is not capable of performing the job responsibilities. If an Employee

returning from workers' compensation disability leave is unable to perform the essential functions of the job because of a physical or mental condition, the Corporation's obligations to that Employee may be governed by the Americans With Disabilities Act.

HEALTH, DENTAL AND VISION INSURANCE

Group health insurance, both basic and major medical, dental and vision insurance is available to all regular Employees and their families, and is partially paid by the Corporation. The Corporation's contribution to the cost of health insurance is determined periodically as the cost of insurance changes. Employees who do not enroll during their first 30 days of employment may jeopardize their right to enroll. Domestic partner benefits are available to qualified Corporation Employees (Government Code Section 22850 and/or 22850.3 under Government Code Section 22873). Information may be obtained from the Athletic Benefits Office.

HOLIDAYS

All Employees are entitled to closed campus holidays, including:

January 1	New Year's Day
January (3 rd Monday)	Martin Luther King, Jr. Day
February (3 rd Monday)	President's Day
March 31	Cesar Chavez Day
May (last Monday)	Memorial Day
July 4	Independence Day
September (1 st Monday)	Labor Day
November (4 th Thursday)	Thanksgiving
December 25	Christmas Day
December 26-31 (closed campus)	Lincoln's Birthday
	Admission Day
	Columbus Day
	Veteran's Day

Corporation Employees, such as those working in ticket sales, equipment managers, etc. may be on a flex work schedule, which requires holiday work, i.e. Thanksgiving basketball invitational and football holiday bowl games.

Employees are entitled to a Personal Holiday of one working day per year. The personal holiday must be taken during each calendar year, and may not be accrued. The personal Holiday may be taken at the option of the Employee, with the approval of the supervisor.

If a holiday falls on a Sunday, it will be celebrated the following Monday. If a holiday falls on a Saturday, it will be celebrated on the preceding Friday.

JOBLINE AND WEB SITE

Information about current Corporation and University staff employment opportunities can be obtained by calling the 24-hour jobline at (559) 278-2360 or by contacting the Human Resources web site at <http://www.csufresno.edu/humres/>.

LIFE INSURANCE

All regular Employees are provided with term life insurance. The amount of the policy is \$30,000.00 which begins on the first day of employment, and continues until termination of employment. It is the

responsibility of the Employee to update beneficiary information by contacting the Athletic Benefits office.

RETIREMENT

All regular Employees automatically become members of a combined Public Employees Retirement System (PERS), and the Federal Social Security (OASDI). The monthly retirement payroll deduction is based on an amount set by the retirement system, with the Corporation contributing an amount also set by the retirement system. PERS contributions and accumulated interest are refundable only in case of termination. At the time of termination, the Employee may elect to leave the funds in the retirement system to retain the right to future retirement allowance. PERS statements are issued annually stating the amount held in trust. For information regarding PERS and OASDI, contact the Athletic Payroll office.

UNEMPLOYMENT AND DISABILITY

All Employees are covered by State Unemployment Insurance and Disability Insurance. Unemployment premiums are paid entirely by the Corporation, and disability premiums are paid entirely by the Employee through payroll withholding. Disability insurance is payable when an Employee cannot work because of illness or non-job related injury. To determine benefits under State Unemployment and Disability Insurance, contact the local office of the Department of Employment Development.

VACATION

For every month of service, or 173.33 regular hours worked, full-time regular status Employees will receive a vacation allowance according to the following schedule:

<u>Length of Service</u>	<u>Vacation Allowance</u>
1 month – 3 years	6-2/3 hours/month – 10 days/year
37 months – 6 years	10 hours/month – 15 days/year
73 months – 10 years	11-1/3 hours/month – 17 days/year
121 months – 15 years	12-2/3 hours/month – 19 days/year
181 months – 20 years	14 hours/month – 21 days/year
241 months – 25 years	15-1/3 hours/month – 23 days/year
301 months and over	16 hours/month – 24 days/year
Administrators & coaches (faculty)	16 hours/month – 24 days/year

Usually, Employees may select the time to take vacation, however the vacation time chosen must be approved in advance by the supervisor. A maximum of 384 hours as of December 31 of each year may be accrued for Employees with ten or fewer years of service. A total of 440 hours may be accrued by Employees with more than ten years of service.

WORKERS' COMPENSATION INSURANCE

All Corporation Employees are covered under Workers' Compensation Insurance. This is a specific insurance purchased by the Corporation to assist Employees who are injured or become ill from job-related sources. The insurance will pay for medical treatment and reimburse the Employee for part of any loss of pay as a result of a job-related injury or illness.

California State University, Fresno Athletic Corporation

PERSONAL PHYSICIAN DESIGNATION

(Optional)

I am aware that Section 4600 of the Labor Code, as amended, states "If an Employee has notified his/her employer in writing prior to the date of the injury/illness that he/she has a personal physician, * the Employee shall have the right to be treated by such physician from the date of injury/illness." The designated physician(s) shall be within a reasonable geographic area (nearest metropolitan area) to the Employee's place of residence.

In the event I incur an injury while on duty, I hereby authorize the Corporation to provide initial first aid or necessary life sustaining medical treatment to allow me to travel or be transported to the health plan facility or physician(s) designated.

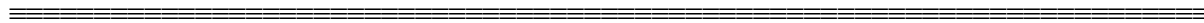
I hereby designate my health plan and my primary physician(s) listed below to treat me for injuries incurred while at work.

PERSONAL PHYSICIAN

ADDITIONAL PHYSICIAN

Name _____
Address _____
Telephone _____
Field of Practice _____

Name _____
Address _____
Telephone _____
Field of Practice _____



Employee _____
Address _____
Telephone _____

Dept. & Ext. _____
City/Zip _____
Signature _____

Return the completed original of this page to Human Resources, Employment Services, Joyal Admin 164, (M/S JA71).

* Physician means the Employee's regular physician who has previously directed the medical treatment of the Employee and who retains the Employee's medical records, including medical history. Under Labor Code section 4600, the term "physician" includes medical doctors, psychologist, optometrist, dentist, podiatrist, physical therapist, as well as osteopathic and chiropractic practitioners licensed under California Law.

California State University, Fresno Athletic Corporation

ACKNOWLEDGEMENT & AGREEMENT

This is to acknowledge that I have received a copy of the California State University, Fresno Athletic Corporation's ("Corporation") Employee Handbook and understand that it sets forth the terms and conditions of my employment as well as the duties, responsibilities, and obligations of employment with the Corporation. I understand and agree that it is my responsibility to read the Employee Handbook and to abide by the rules, policies, and standards set forth in the Employee Handbook.

I also acknowledge that my employment with the Corporation is not for a specified period of time and can be terminated at any time for any reason, with or without cause or notice, by me or by the Corporation. I acknowledge that no oral or written statements or representations regarding my employment can alter the foregoing. I also acknowledge that no Manager or Employee has the authority to enter into an employment agreement-express or implied-providing for employment other than at will.

I also acknowledge that, except for the policy of at-will employment, the Corporation reserves the right to revise, delete, and add to the provisions of this Employee Handbook. All such revisions, deletions, or additions must be in writing and must be signed by the President of the Corporation. No oral statements or representations can change the provisions of this Employee Handbook. I also acknowledge that, except for the policy of at-will employment, terms and conditions of employment with the Corporation may be modified at the sole discretion of the Corporation with or without cause or notice at any time. No implied contract concerning any employment-related decision, term of employment, or condition of employment can be established by any other statement, conduct, policy, or practice.

I understand that the foregoing agreement concerning my at-will employment status and the Corporation's right to determine and modify the terms and conditions of employment is the sole and entire agreement between me and the Corporation concerning the duration of my employment, the circumstances under which my employment may be terminated, and the circumstances under which the terms and conditions of my employment may change. I further understand that this agreement supersedes all prior agreements, understandings, and representations concerning my employment with the Corporation.

Date

Employee Signature

Employee Name [printed]

TO BE PLACED IN EMPLOYEE'S PERSONNEL FILE

California State University, Fresno Athletic Corporation

DRUG-FREE WORKPLACE CERTIFICATION

I have been provided a copy of the Corporation Drug-Free Workplace Policy (contained in the Employee Handbook). I understand that it is prohibited to unlawfully manufacture, distribute, dispense, possess, or otherwise use a controlled or illegal substance in the workplace.

Employees found to have violated this policy will be subject to disciplinary action up to and including termination.

Assistance for substance abuse is available through the University Employee Assistance Program (278-4357).

I understand that if I am convicted of any criminal drug statute for a violation occurring in the workplace, I am obligated to inform the Athletic Director within five (5) days of that conviction.

I further understand that I must abide by this policy as a condition of employment.

Employee Name (please print)

Title

Department/Area

Employee Signature

Date

Witness Signature

Date

cc: Personnel File

California State University, Fresno Athletic Corporation

COMPENSATORY TIME OFF AGREEMENT

This COMPENSATORY TIME OFF AGREEMENT was voluntarily entered into by and between _____ (“Employee”) and CALIFORNIA STATE UNIVERSITY FRESNO ATHLETIC CORPORATION, a California nonprofit corporation (“Employer”) this _____ day of _____, 20__.

WHEREAS, Employee desires to enter into an agreement with Employer whereby Employee will be compensated with time off in lieu of receiving wages for overtime worked; and

WHEREAS, Employee regularly works forty (40) hours per week and requests that he/she receive compensatory time off for any overtime hours he/she works;

NOW THEREFORE, Employer and Employee agree as follows:

1. **Compensatory Time Off.** Employee shall receive compensating time off (“CTO”) at a rate of not less than one and one-half hours for each hour of employment for which overtime compensation is required by law. If an hour of employment would otherwise be compensable at a rate of more than one and one-half times the Employee’s regular rate of compensation, then the employee may receive compensating time off commensurate with the higher rate.
2. **Request for Compensatory Time Off.** Employee must request CTO in lieu of overtime compensation in writing. Employee shall use the attached form for such request. CTO will be permitted within a reasonable period after Employee makes such request if the CTO does not unduly disrupt the operations of Employer.
3. **Maximum Accrual of Compensatory Time Off.** Employee desires to have a maximum accrual of two hundred forty (240) hours of CTO. If Employee has accrued two hundred forty (240) hours of CTO, he/she will be paid overtime compensation for any additional overtime hours worked.
4. **Termination of Employment.** Employee shall be paid for the unused compensating time at a rate of compensation not less than the average regular rate received by Employee during the last three (3) years of the Employee’s employment or the Employee’s final regular rate, whichever is higher.
5. **Voluntary Agreement.** Employee voluntarily desires to be paid compensatory time off for all overtime worked. Employee agrees he/she was presented with both Federal and State law as it relates to compensatory time off and has elected to be governed by State law which Employee believes is more favorable to him/her. Employee understands that Employer expresses no opinion on which law, Federal or State, is more favorable to Employee.

EMPLOYER:
CALIFORNIA STATE UNIVERSITY
FRESNO ATHLETIC CORPORATION

EMPLOYEE:

By _____

Name _____
 Social Security Number _____

Charge to: _____

OVERTIME AUTHORIZED

Note: For all departments authorizing overtime, requests for overtime worked must be submitted to the Personnel Office in advance of working the hours herein reported.

Reason	Date	Time of Day		Total Hours Worked	Compensation Time Off W Payment P	For Payroll Use Only	
		From	To			Adjustments	Total Hours Credited

Department Head Approval: _____ Date: _____
 Personnel Office Approval: _____ Date: _____

INFORMATION

- NUMBER OF COPIES** - Follow instructions issued by your department. Employees who wish to keep a copy should prepare a duplicate and have it signed by the supervisor.
- AMOUNT OF TIME** - Sick leave and vacation may be used only in amounts of one through eight hours with no fraction of hours. If more than two hours is needed for a doctor's appointment, the reason is stated in item 4, "other".
- EMPLOYEE'S RESPONSIBILITIES** - The employee has a responsibility not to be absent from work unnecessarily. When the need for an absence can be anticipated, the employee is expected to present this written request for advance authorization. When an unanticipated emergency causes the absence, the employee is responsible for having his/her supervisor notified promptly and for keeping his/her supervisor informed as to the probable date of his/her return. Upon return from an unanticipated absence, the employee is required to present this written report to account for the absence.
- SUPERVISOR'S RESPONSIBILITIES** - Each supervisor is responsible for seeing that all employees comply with the regulations governing absence from work. The supervisor is expected to recommend against approval of sick leave absence for which satisfactory evidence is not presented. The supervisor should not authorize any unnecessary absence that will interfere with departmental work. For occupational illness or injury caused by and happening during State work, Supervisor's Injury/Prevention Report, Form 620, must be submitted.

 Before recommending approval of sick leave by an INTERMITTENT EMPLOYEE, a supervisor shall certify that the employee was scheduled to work during the hours reported for sick leave.
- SICK LEAVE** - Sick leave is provided to protect the employee from a loss of income when he is physically incapacitated from work. An employee receives one day of sick leave credit after the completion of a qualifying pay period, and thereafter is granted one day of credit for each additional qualifying pay period of service. There is no maximum on the amount of sick leave credit an employee can accumulate. Payment of salary as a charge against sick leave credits is authorized only when satisfactory proof of the necessity for the absence is provided by the employee. A necessary absence to care for a member of the family who is seriously ill may be taken as sick leave. Time off for family care is limited to five days a year. Absence to care for members of the family who are not seriously ill cannot be charged against sick leave. Up to five days sick leave may be granted for a necessary absence due to death in family.
- VACATION** - After completing one qualifying pay period of service, an employee receives vacation credit based on the following:

Service	Hours
1 month - 3 years	6-2/3
+ 3 years - 6 years	10
+ 6 years - 10 years	11-1/3
+10 years - 15 years	12-2/3
+15 years - 20 years	14
+20 years - 25 years	15-1/3
+25 years - and over	16

 Part-time employees accrue at a pro rata amount.

 All academic 12 month employees and management personnel: Employees in these categories accrue vacation at a rate of 16 hours per month.

 An absence can be charged against vacation credits only when approved by the appointing power. The annual vacation is intended to provide a substantial period for rest and relaxation each year. The time at which vacation shall be taken may be specified to suit the convenience of the department. Vacation cannot be taken as an absolute right unless the appointment power does not provide a vacation for the employee for two successive years. Maximum accumulation permitted on January 1 of any year (which includes vacation credits earned during December) varies with bargaining unit. For specifics, refer to your Collective Bargaining representative.
- COURT APPEARANCES** - Submit this form in duplicate. Remit all fees to the Cashier's Office, Joyal Administration Building.

JURY DUTY - The full salary of an employee who is absent to perform jury duty is paid only if the employee reimburses the State by the amount he is paid for serving the jury. In the event the employee elects to retain the fee for jury duty such time off is not compensable but vacation and overtime balance may be reduced for the corresponding period of jury duty, providing sufficient vacation and overtime balances are available.

SUBPOENAED WITNESS - Benefits vary depending on Collective Bargaining Unit assigned.
- ABSENCE WITHOUT PAY** - Approved informed leave of absence without pay may be granted for a period not to exceed 10 working days with approval plus 5 days absence without approval.

 Absence without approval for consecutive working days is an automatic resignation. For specifics, see your Collective Bargaining representative.

FOR MORE DETAILED INFORMATION CONSULT THE PAYROLL OFFICE OR YOUR COLLECTIVE BARGAINING REPRESENTATIVE

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