

# POLICY ON HUMAN RESOURCES

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**DEFINITIONS**

For purposes of this policy, the terms used are defined as follows:

<b>Term</b>	<b>Definition</b>	<b>Chapter</b>
<b>Absence</b>	When an employee misses one or more consecutive scheduled workdays for a single reason	Employee Attendance
<b>Act of violence</b>	An intentional act that causes bodily harm, however slight to another person or damage to the property of another	Employee Conduct
<b>Added Goals</b>	Any goal established outside of, or as an extension of, major job requirements.	Performance Management
<b>Appraisal Interview</b>	A meeting between supervisor and employee to discuss the outcome of the written performance evaluation process.	Performance Management
<b>ASI premises</b>	All real property leased to or owned by Associated Students, Incorporated. This includes the University Student Union, Isabel Patterson Child Development Center, and the Recycling Center.	Employee Conduct
<b>Callback</b>	Being ordered to work after completing a normal work shift, or being called back to work on an authorized day off	Employee Compensation
<b>Child</b>	A biological, adopted or foster child, a step-child, a legal ward, or a child of an employee standing in loco parentis (in place of a parent) to that child who is either under eighteen (18) years of age or an adult dependent child. An adult dependent child is an individual who is eighteen (18) years of age or older who is incapable of self-care because of a mental or physical disability as defined in Government Code section 12926, subdivisions (i) and (k).	Employee Leaves
<b>Conference Memorandum</b>	A written follow-up to an employee following an informal counseling session, which confirms the reason for the counseling, a summary of the effect of an employee's misconduct, a summary of the employee's response to the counseling, and a statement of the corrective actions expected	Employee Supervision
<b>Counseling Session</b>	A meeting between supervisor and employee to identify the employee's strengths and/or weaknesses, to inform the employee of his or her performance deficiencies, to formulate corrective actions, if needed, and to assist the employee to identify ways to improve performance, as well as ways in which the supervisor may support any improvement.	Performance Management
<b>Customer service areas</b>	Any physical location at which customer business is routinely transacted and publicly visible. Examples include the Business Office Service Counter, the Photo/Ticket Booth, and the Games Center desk	Employee Conduct
<b>Dating</b>	Entering into a consensual sexual or romantic relationships with another employee	Employee Conduct
<b>Employee</b>	A person who is hired by another person or business for a wage or fixed payment in exchange for personal services and who does not provide the services as part of an independent business; Any individual employed by an employer.	Employee Conduct

<b>Employee</b>	A person who is hired by another person or business for a wage or fixed payment in exchange for personal services and who does not provide the services as part of an independent business; Any individual employed by an employer.	Employee Supervision
<b>Employee Conference</b>	A private supervisory conference between a supervisor or other administrative officer and an employee at which the employee's performance deficiencies are discussed in order to prevent the need for counseling.	Employee Supervision
<b>Employee counseling</b>	Formal action taken against an employee for misconduct or incompetence when other efforts (i.e., evaluation, conference) fail or when a single incident is so severe as to warrant it	Employee Conduct
<b>Employee Counseling</b>	Formal action taken against an employee for misconduct or incompetence when other efforts (i.e., evaluation, conference) fail or when a single incident is so severe as to warrant it	Employee Supervision
<b>Evaluation Period</b>	Normally, a 12-month period beginning the first day of July and ending the last day of June of each year. An evaluation period may cover a period of less than or more than 12 months, but must cover at least 120 calendar days starting with the employee's receipt of an individual performance plan.	Employee Supervision
<b>Evaluation Period</b>	Normally, a 12-month period beginning the first day of July and ending the last day of June of each year. An evaluation period may cover a period of less than or more than 12 months, but must cover at least 120 calendar days starting with the employee's receipt of an individual performance plan.	Performance Management
<b>Evening Shift</b>	Work shifts that take place between the hours of 2:00 p.m. and 12:00 midnight.	Employee Compensation
<b>Excessive absence</b>	When an employee is away from work to the extent that completion of normal work requirements is adversely affected.	Employee Attendance
<b>Failure to remain on duty</b>	When an employee does not obtain permission to leave the work site during scheduled work time or takes or exceeds a break period without authorization.	Employee Attendance
<b>Garnishment</b>	A court order requiring an employer to remit part of an employee's wages to a third party in payment of a just debt	Employee Compensation
<b>Grooming</b>	Care for one's own personal appearance. Keeping one's own personal appearance neat and clean.	Employee Appearance
<b>Immediate family</b>	Spouse, domestic partner, parents, siblings, child, child of domestic partner, mother-in-law, father-in-law, grandparents, and grandchildren.	Employee Leaves
<b>In-range progression</b>	An increase within a salary range for a single classification or within a sub-range of a classification with skill levels	Employee Compensation
<b>Insubordination</b>	<ol style="list-style-type: none"> <li>1. Willful disregard of a supervisor's instructions</li> <li>2. An act of disobedience to proper authority, especially a refusal to obey an order that a superior is authorized to give.</li> </ol>	Employee Conduct
<b>Intimate Contact</b>	Cuddling, kissing, fondling, touching, or other physical contact of a romantic or sexual nature	Employee Conduct

<b>Intimidation</b>	An intentional act toward another person, causing the other person to reasonably fear for his/her safety or the safety of others.	Employee Conduct
<b>Major Job Requirements</b>	Key responsibilities of the job as defined in the Essential Duties and Responsibilities contained in the Position Description.	Employee Supervision
<b>Major Job Requirements</b>	Key responsibilities of the job as defined in the Essential Duties and Responsibilities contained in the Position Description.	Performance Management
<b>Medical condition</b>	A health-related physical condition that interferes with an individual's ability to perform one or more personal grooming routines on a regular basis	Employee Appearance
<b>Mid point</b>	The dollar amount halfway between the minimum and maximum amounts of a salary range	Employee Compensation
<b>Minors</b>	Persons under the age of eighteen	Employee Conduct
<b>No-call, no-show</b>	When an employee both fails to report for work at the start of a scheduled work shift and fails to notify the supervisor or designated person within 30 minutes of the start of the work shift of an intention to be absent.	Employee Attendance
<b>Overtime</b>	Hours worked by a non-exempt employee in excess of eight in one day or 40 in one week.	Employee Attendance
<b>Overtime</b>	Hours worked by a non-exempt employee in excess of eight (8) hours in any workday and forty (40) hours in any workweek	Employee Compensation
<b>Parent</b>	A biological parent (not parent-in-law) or someone who stood in loco parentis (in place of a parent) to an employee.	Employee Leaves
<b>Pattern of absence</b>	When an employee's absences occur with a common factor (day of week, day before/after holiday, etc.) at least three times within six months.	Employee Attendance
<b>Performance Appraisal</b>	The on-going process in which the supervisor "coaches" employees on how well they are meeting performance expectations. It culminates in the annual completion of a Performance Planning and Appraisal form.	Employee Supervision
<b>Performance Plan</b>	Set of expectations agreed to by supervisor and employee for the performance of duties and responsibilities as outlined in the job description. A plan includes major job requirements and may include added goals.	Employee Supervision
<b>Performance Plan</b>	A Performance Plan is a set of expectations agreed to by supervisor and employee for the performance of duties and responsibilities as outlined in the job description. A plan includes major job requirements and may include added goals.	Performance Management
<b>Performance Standard</b>	A way to measure achievement of job requirements and/or goals	Employee Supervision
<b>Performance Standard</b>	A way to measure achievement of job requirements and/or goals	Performance Management

<b>Personal Exchanges</b>	Intimate behavior including public displays of intimate contact, sexual innuendo, suggestive comments or gestures, and sexually oriented joking	Employee Conduct
<b>Quartile</b>	Any of the three values that divide a salary range into four sub-ranges, each containing one-fourth of the total range	Employee Compensation
<b>Reasonable Person</b>	A standard used to denote a hypothetical person who exercises "those ordinary qualities of attention, knowledge, intelligence, and judgment which society requires of its members for the protection of their own interest and the interest of others." The phrase does not apply to a person's ability to reason, but rather the prudence with which he or she acts under the circumstances.	Employee Conduct
<b>Red circle rate</b>	An incumbent's salary rate that exceeds the maximum of the salary range for the corresponding classification.	Employee Compensation
<b>Salary range</b>	A range comprising the minimum and maximum amount of compensation that can be paid to a position based on its corresponding CSU classification	Employee Compensation
<b>Serious health condition</b>	An illness, injury, impairment, or physical or mental condition (including work-incurred illnesses and injuries) which involved inpatient care in a hospital, hospice or residential health care facility, or continuing treatment or continuing supervision by a health care provider. Any period of incapacity due to pregnancy or for parental care is also covered.	Employee Leaves
<b>Shift differential</b>	An hourly pay differential over and above the salary rate for a classification paid to non-exempt employees who are assigned to work the evening shift	Employee Compensation
<b>Spouse</b>	A husband or wife, including common law-marriage or domestic partner.	Employee Leaves
<b>Supervisor</b>	Any individual having authority, in the interest of the employer, to hire, suspend, discharge, assign, reward, or discipline other employees, or having responsibility to direct them, or to adjust their grievances, or having authority to effectively recommend such action subject to Human Resource review, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature but requires the use of independent judgment.	Employee Supervision
<b>Tardiness</b>	When an employee fails to report to work at the scheduled starting time.	Employee Attendance
<b>Threat of violence</b>	An intentional act that threatens bodily harm to another person or damage to the property of another	Employee Conduct
<b>Unauthorized absence</b>	An absence for which the employee's supervisor/department has not been properly notified.	Employee Attendance
<b>Uniform</b>	A distinctive article of clothing or set of clothes worn to identify an individual's occupation, place of employment and to assist employees in safely fulfilling their job responsibilities.	Employee Appearance
<b>Volunteer</b>	Anyone who without compensation or expectation of compensation beyond reimbursement performs a task at the direction of and on behalf of ASI	Employee Conduct

<b>Work Location</b>	The place where the major portion of an employee's working time is spent or the place to which the employee returns during working hours upon completion of special assignments	Employee Conduct
<b>Working Hours</b>	Hours of operation as determined by the location at which the employees work	Employee Conduct
<b>Workplace Aggression</b>	Repeated inappropriate behavior, either direct or indirect, whether verbal, physical, or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment	Employee Conduct

## EMPLOYEE ATTENDANCE

### BACKGROUND AND PURPOSE

Employee work attendance has a direct effect on the ability of a department or work unit to perform work and/or provide services in support of the organization's mission. This policy on employee attendance has been established to assure that:

- There is consistent enforcement of attendance regulations and consistent application of corrective action on a corporate-wide basis.
- Appropriate corrective action is taken at the lowest level sufficient to address attendance concerns.
- Clear steps are followed so that supervisors and employees may discuss attendance problems affecting the work unit and its productivity and provide adequate time for employees to correct attendance deficiencies.

### POLICY STATEMENT

It is the policy of ASI that employees report for duty at the assigned time and place, remain on duty during scheduled work hours, and accurately report hours worked and leave taken in accordance with State and federal law. Excessive absenteeism and tardiness disrupt normal operations and place an extra burden on fellow employees. Abuses, therefore, will be subject to disciplinary action.

Unless otherwise noted below, this policy is applicable to all employees of the ASI, including full-time, part-time, work-study, student assistant, and temporary employees.

#### 1.0 OFFICE HOURS

The standard office hours of the ASI are 8:00 a.m. to 5:00 p.m., Monday through Friday. All offices and work units should be open and adequately covered for efficient operation and service from 9:00 a.m. to 5:00 p.m., including the hour of 12:00 noon to 1:00 p.m. Supervisors are responsible for setting work schedules in conjunction with their work unit's responsibilities and their employee's needs.

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#### 1.1 FLEXIBLE SCHEDULING

ASI permits flexible scheduling, which allows full-time employees to select their own daily hours of work, within the limits of their department's environment and job responsibilities, subject to the approval of their supervisor and division director. The practice involves expanding individual work hours to permit earlier or later arrivals and departures. Flexible Scheduling does not shorten the number of hours an employee must work. It simply allows more flexibility in setting employees' work schedules for the mutual benefit of ASI and the employee.

Under flexible scheduling, employees may also elect to take a half hour lunch break instead of the traditional one-hour lunch period. Employees electing the half hour lunch period may begin work a half hour later or leave work a half hour early.

Flexible schedules must be approved, in advance, by the supervisor and division director. Employees working flexible schedules will be held to the same attendance/punctuality requirements as employees working the standard office hours.



It is recognized that many staff employees do not work on the "day" shift and others work schedules that vary from the traditional 8:00 a.m. to 5:00 p.m. The same flexibility may be made available to employees who work other schedules, with the approval of the supervisor and the division director.

Other flexible schedule models may be considered with approval of the division director and executive director.

## 2.0 EMPLOYEE WORK SHIFTS

ASI's workweek begins at 12:01 a.m. on Sunday and concludes at midnight on the following Saturday. There are two shifts: shifts between the hours of 6:00 a.m. and 6:00 p.m. are considered day shifts; shifts between the hours of 2:00 p.m. and 12:00 midnight are considered evening shifts. Unless otherwise stipulated in an approved job description, each full-time, non-exempt employee shall be assigned to a regular work shift. Work shifts for full-time, non-exempt employees shall be 40 hours per week including hours worked and all authorized leaves.

Work schedules for exempt employees may fluctuate from week to week based on workload and program requirements, but on average shall be a minimum of 40 hours per week including hours worked and all authorized leaves.

Work shifts for temporary, seasonal, and part-time employees shall be established on an individual basis and may vary from week to week based on such factors as workload demands, amount and type of available funding, and employee skills.

Supervisors may require that a full-time employee occasionally adjust their work schedule in order to meet the special needs of ASI and/or a particular department. Supervisors are required to provide this notification as far in advance as possible and to limit recurring requests. The employee will be given as much advance notice as possible, and in most cases no less than 48 hours. Employees must obtain advance approval from supervisors for leave, overtime worked, and work schedule changes in all cases except unplanned personal and family sick leave. In those instances, the employee is required to obtain approval upon return to work.

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### 2.1 ALTERNATIVE WORK SCHEDULES

During nonacademic months, alternate work schedules are permitted, granted they meets organizational need and nonprofit legal requirements. Staff whose workweeks begin on a day other than Monday may also be eligible for alternative work schedules.. This policy requires that 9/80 work schedules shall reflect the following structure in a two-week period.

- Week 1: Four (4) consecutive nine-hour shifts and one (1) eight-hour shift
- Week 2: Four (4) consecutive nine-hour shifts and one (1) day off

As exempt employees are not required to record the time they leave work, it is the responsibility of the employee to ensure the full nine-hour shift is worked.

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### 2.2 MEAL AND BREAK PERIODS

Each workday, non-exempt employees are entitled to one rest period of 15minutes in length for each four-hour work period. Since the time is counted and paid as time worked, employees should not be absent from their work area beyond the allotted rest period.

Non-exempt employees are provided with one meal period for a minimum of 30 minutes for each workday that exceeds six (6) hours. Meal periods must be taken within the first five hours of the work schedule. On occasion, employees who work in excess of 10 hours in a workday are eligible to receive a second meal period of no more than 30 minutes that begins at the start of their 10th hour. Employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time.

Total Work Schedule (Hours)	Number of Rest Periods	Number of Meal Periods
Less than 3.5	0	0
3.6 to 4.0	1	0
4.1 to 6.0	1	0
6.1 to 8.0	2	1
8.1 to 10.0	2	1
Over 10.0 hours	Use formula of one rest period per 4.0 hours of work and one meal period per 6.1 hours of work	

Rest and meal periods do not accumulate, nor do any rights accrue for overtime if rest and meal periods are not taken. They may not be taken in the initial or final half hour of a work schedule. State law imposes a one-hour penalty payment at the employee’s regular rate of compensation for any entitled meal period(s) or for any break(s) not provided during the workday. An employee must obtain permission from their supervisor prior to working through a rest or meal period. Supervisors are responsible for scheduling rest and meal periods for employees under their supervision. A current copy of the California Wage Orders is posted on the Human Resources Bulletin Board.

Refer to the California Wage orders for rules governing on-duty meal periods.

When deemed necessary, employees shall be permitted a clean-up period of up to ten (10) minutes as appropriate to perform personal washing and changing of clothes immediately prior to the end of their workday. Employees who work in assignments that come into frequent contact with dirt, waste, or toxic chemicals shall be granted clean-up time.

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### 2.3 OVERTIME

It is expected that employees be willing to work additional hours and/or overtime when needed. Overtime occurs whenever a non-exempt employee works in excess of eight (8) hours in any one workday or in excess of forty (40) hours in a workweek. Non-exempt employees are paid time-and-a-half of their “regular rate of pay” for overtime. Regular rate of pay includes supplementary earnings such as shift differentials.

All overtime work by a non-exempt employee must be authorized in advance by the employee’s supervisor. Supervisors must let each employee know if they are authorized to work emergency overtime and how they are

required to notify their supervisor if they do. Because unauthorized overtime is against ASI policy, employees who work unauthorized overtime shall be subject to disciplinary action.

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## 2.4 LACTATION ACCOMMODATION

ASI will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child each time the employee has need to express milk.

The break time, if possible, shall run concurrently with any break time already provided to the employee. ASI will provide additional break time for the employee to express milk, if needed, but ASI is not required to pay for additional time in excess of the rest periods provided to employees under this Policy.

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### 2.4.1 REQUESTING AN ACCOMMODATION

Employees who wish to request a lactation accommodation shall do so in writing to their direct supervisor. Upon receiving a request, supervisors are required to acknowledge receipt and make appropriate arrangements for a location that is private, free from intrusion during lactation, and comfortable. A directory of suitable lactation rooms on campus can be found on the University's website.

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### 2.4.2 REPORTING NONCOMPLIANCE

If ASI believes it cannot provide employees requesting an accommodation with break time or locations within the parameters of the exemptions listed in California Labor Code §§1031-1032, ASI will notify the employee in writing explaining the reasons for that decision.

Employees may report violations of this section to the Labor Commissioner's field enforcement unit without fear of retaliation. ASI will not discharge, or in any other manner discriminate or retaliate against, an employee for exercising rights in this section.

## 3.0 ATTENDANCE REPORTING

All hours worked by non-exempt employees must be recorded through use of the automated timekeeping system approved by ASI. Hours worked may not be deferred to a later pay period or recorded elsewhere. Non-exempt employees must also record time taken off for partial day absences of any kind. Exempt employees are required to record their presence at the workplace and need not record breaks, meal periods, or time of departure. All employees are required to notify their supervisor, by either e-mail or telephone, when they necessitate an adjusted schedule due to unplanned tardiness, personal appointments outside of the office, vacations, sick leave, personal holidays, or are attending business-related events off-campus.

Automated timekeeping records shall be produced for all employees on a daily basis. Employees' timekeeping records will be monitored and approved by each supervisor using the timekeeping system. Supervisors are responsible for editing, correcting, approving and submitting all timekeeping records for employees under their supervision.

No one other than the employee, their immediate supervisor, or human resources staff may enter information into an employee's personal timekeeping record. Alteration, forgery, destruction, or falsification of any timekeeping record may result in disciplinary action up to and including termination. Staff attendance records will be reviewed continuously.

## 4.0 ABSENCES

Generally, an absence occurs when an employee misses one or more consecutive scheduled workdays for a single reason (i.e., flu, family illness, or hospitalization). ASI requires advance notification of absences, but shall not require more than 24-hours notice in order for an absence to be considered "authorized". In cases of absence for medical reasons, the Human Resources Department may request medical certification to justify excusing an absence of three or more consecutive days.

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#### 4.1 UNAUTHORIZED ABSENCES

An absence shall be considered "unauthorized" whenever the employee's supervisor and/or department has not been properly notified. Responsibility for excusing an unauthorized absence shall rest with the immediate supervisor. Supervisory discretion should be exercised depending on the severity of the violation. The supervisor should take into consideration any mitigating circumstances and the employee's overall attendance record when making the decision. Unexcused absence may be recorded as leave without pay at the discretion of the supervisor. Otherwise, it must be charged to the employee's sick leave or vacation accrual as appropriate.

An "unauthorized" absence also occurs when a supervisor does not accept as reasonable an employee's explanation for an absence or lateness. However, a supervisor may only designate a medical-related absence as unauthorized after gaining concurrence from the human resources manager. Using the Employee Counseling Action form, the supervisor shall notify the employee in writing that the absence was not excused because it was unauthorized and that it will be submitted as unapproved leave without pay. A copy of the Employee Counseling Action form shall be placed in the employee's personnel file.

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#### 4.2 EXCESSIVE ABSENCE

Absence is considered "excessive" when an employee is away from work to the extent that completion of normal work requirements is adversely affected. These absences may have been excused or unexcused and caused by medical or other reasons. An employee must be notified that absences are excessive before such incidents can be considered for disciplinary action. A supervisor may not designate medical-related or Family Medical Leave Act absences as excessive without the concurrence of the human resources manager.

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#### 4.3 PATTERNS OF ABSENCE

A pattern of absence exists when an employee's absences occur with a common factor (day of week, day before/after holiday, etc.) at least three (3) times within six (6) months. For instance, an employee who is regularly absent from work on a Monday, a Friday or the day before or after a holiday may be viewed as displaying a pattern of absence. Employees exhibiting a pattern of absence will be subject to disciplinary action.

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#### 4.4 NO CALL – NO SHOW

An incident of no-call, no-show occurs when an employee both fails to report for work at the start of a scheduled work shift and fails to notify the supervisor or designated person within 30 minutes of the start of the work shift that he or she plans to be absent. Employees who do not report to work or call in for three (3) consecutive scheduled days will be considered to have terminated their employment. Repetitive but non-consecutive incidents of no call – no show will result in disciplinary action and may lead to termination.

Based on the requirements of the position and the need for scheduling replacement personnel, supervisors are authorized to require more than 30 minutes advance notice of an employee's intent to be absent. In such cases, the

supervisor must provide employee with advance written notification of this requirement and submit a copy of the notification to the Human Resources Department..

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#### 4.5 CHRONIC PATTERN OF EXCESSIVE OR UNAUTHORIZED ABSENCES

A chronic pattern of excessive or unauthorized absences exists when an employee's absences from work, whether excused or not, have a serious negative effect on a department's ability to provide service. These absences can be for medical or non-medical reasons. If the absences are for medical reasons, requirements under federal or state law may dictate that certain absences not result in disciplinary action. Departments must consult the human resources manager regarding such determinations. In cases where there is a chronic pattern of excessive or unauthorized absence, notice will be given to the employee that his or her chronic absences are a hardship on the work unit and that additional requirements must be met in order to receive approved leave. These requirements include:

- Two week notice for use of vacation leave, personal holiday, or personal necessity leave
- Documentation to support other paid leave (funeral leave, jury duty, witness duty, etc.)
- A physician's statement verifying incapacitation, medical reasons for an absence, and the anticipated date of return when sick leave or leave without pay is requested.

After notice of a chronic pattern of absences has been given, another incident of unauthorized or excessive absence shall result in disciplinary action at the next higher step of progressive discipline.

When an employee has been placed on chronic absence restrictions, the supervisor should complete a regular review of the employee's attendance record at least every six months. The supervisor may lift these restrictions if the employee corrects the chronic pattern of absence. An employee may request a review of his or her status related to chronic absence restrictions, if the supervisor does not initiate one. Supervisors should notify employees in writing regarding their status following each regular review.

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### 5.0 EMPLOYEE ATTENDANCE/PUNCTUALITY OBLIGATIONS

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#### 5.1 CALLING IN ABSENT OR LATE

In any situation where an employee is unable to report or may be delayed in arriving for work at the assigned time and place, the employee must contact the immediate supervisor or other designated person in accordance with the supervisor's requirements. It is the responsibility of each supervisor to establish and communicate to their employees the protocol for calling in absent or late. If no specific protocol has been established, the employee must contact the immediate supervisor within 30 minutes of the start of the scheduled work shift. Except in the most unusual situations, the employee is expected to make the call personally, provide a projected length of absence, and explain reasons for the absence or lateness. Failure to call in absent or late in accordance with these regulations may result in disciplinary action.

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#### 5.2 TARDINESS

All ASI employees are expected to report for work on time. When an employee fails to report to work at the specified starting time, he or she is considered "tardy". A ten minute grace period will apply before an employee is considered

“tardy”. Tardiness will be considered “excessive” when it occurs more than three times in a given pay period for two or more consecutive pay periods. Excessive tardiness may be grounds for disciplinary action, depending upon its severity, frequency, and impact on individual or departmental work performance.

Employees who are chronically unable or unwilling to report to work on time present a hardship to other employees and customers. Employees receiving corrective action under this policy are expected to improve their attendance/punctuality. Failure to improve and/or sustain improvement shall result in the employee receiving additional counseling, up to and including separation from employment.

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### 5.3 FAILURE TO REMAIN ON DUTY

An incident of failure to remain on duty occurs when an employee does not obtain permission to leave the work site during scheduled work time or takes or exceeds a break period without authorization. Incidents of failure to remain on duty will be treated in the same manner as unauthorized absences, as defined above.

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## 6.0 RESPONSIBILITIES

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### 6.1 DIRECTORS’ RESPONSIBILITIES

ASI Division Directors are responsible for the following:

1. Determining work schedules for employees in their respective divisions, based on workload requirements.
2. Ensuring that divisions will be staffed to provide services to ASI's customers and other functions during established business hours.
3. Determining if supervisors or employees are complying with the policy and
4. Taking corrective action.

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### 6.2 SUPERVISORS’ RESPONSIBILITIES

Department or work unit supervisors are responsible for the following:

1. Approving individual work schedules and subsequent deviations consistent with the needs of ASI or the respective department.
2. Utilizing the ASI-approved time recording method and ensuring that the employee signs all attendance documents.
3. Accounting for the scheduled work hours of their subordinate employees.
4. Providing written notification of approval/disapproval on deviations from the established work schedule to the employee and the Human Resources Office.
5. Controlling overtime as required outside the employee's work schedule.

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### 6.3 EMPLOYEES’ RESPONSIBILITIES

ASI employees are responsible for the following:

1. Becoming familiar and complying with the Policy on Employee Attendance
2. Recording arrival and departure times on the approved time recording document or device
3. Obtaining prior approval from their immediate supervisor for leaves, tardiness, breaks, or any deviation from their work schedule.

## EMPLOYEE LEAVES

### BACKGROUND AND PURPOSE

The purpose of this policy statement is to establish guidelines governing leaves of absence from employment. Since the policies are designed to cover employees in California, the policies should be administered in a manner that conforms to all applicable state and federal laws. Unless state or local laws require a departure from the policies set forth below, the policies should be administered strictly as written below unless and until the Associated Students, Incorporated (ASI) amends them.

The objectives of this policy are to:

- Ensure uniform standards and procedures respecting the provision and administration of leave for employees of ASI
- Provide an employee leave program that will facilitate monitoring the various forms of leave, ensure accurate application, and detect potential abuses
- Ensure that employees, supervisors, and department heads are familiar with ASI's leave program
- Provide a system of record keeping for ASI's leave system

### POLICY STATEMENT

It is the policy of ASI to grant leaves of absence to all eligible employees on a non-discriminatory basis. Unless specifically provided otherwise, all leaves of absence are available only on an unpaid basis. All full-time and part-time regular employees are eligible for a leave of absence once they have completed one year of service at ASI. In addition, where required by state or federal law, regular and temporary employees are eligible for a leave of absence before completing one year of service. Subject to any applicable legal restrictions, requests for leaves of absence will be considered on the basis of the employee's length of service, performance, responsibility level, the reason for the request, and ASI's ability to obtain a satisfactory replacement during the time the employee would be away from work.

ASI shall establish and maintain an orderly system for the administration and control of the various forms of leave which are available to its employees.

Where there is any conflict between the policies adopted by ASI and policies set forth in federal or state statute, the statutes shall supersede ASI policies.

## 7.0 HOLIDAYS

All regular employees of ASI shall be entitled to the following paid holidays:

Holiday	Date Observed
Personal Holiday	Floating (January – December)
New Year's Day	January 01
Martin Luther King Jr. Day	January (3rd Monday)
*Lincoln's Birthday	February 12/Observed Winter Break
**Presidents' Day	February (3rd Friday)/Observed day after Thanksgiving
Cesar Chavez Day	March 31
Memorial Day	May (Last Monday)
Independence Day	July 04
Labor Day	September (1st Monday)
*Admissions Day	September 09/Observed Winter Break
*Columbus Day	October (2nd Monday)/Observed Winter Break
Veterans Day	November 11
Thanksgiving Day	November (4th Thursday)
Christmas Day	December 25

\* Holiday Earned - Campus is open. Employees who work on these days earn 8 hours of time to be used during Winter break.

\*\*Time earned on Presidents' Day is used for the day after Thanksgiving.

Employees may leave at noon on Christmas Eve provided the university President officially grants the time off. Holidays that fall on Saturday are observed on Friday. Holidays that fall on Sunday are observed the following Monday.

Regular employees are also entitled to one Personal Holiday per calendar year (January 01 - December 31). The Personal Holiday must be taken before December 31 each year and in full eight-hour increments.

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### 7.1 CORPORATE HOLIDAYS

The elected Executive Officers of the corporation shall be authorized to designate a working day as a paid corporate holiday, provided the following conditions are met:

1. The holiday closure does not create a hardship for the organization, financially or operationally; and
2. Disruption of services to the student body are minimized; and
3. Access to ASI facilities is made available to non-ASI employees so they are not prohibited from working; and
4. The corporate holiday represents an extension of an existing holiday period during which ASI would normally be closed for business; and



5. The decision to designate a corporate holiday is done with the concurrence of the executive director; and
6. The granting of the corporate holiday is not opposed by the Vice President for Student Services

## 8.0 VACATION LEAVE

ASI has established a vacation plan for the benefit of its regular, full-time employees. The vacation plan is designed to provide eligible employees a period of rest and relaxation away from work without loss of pay or benefits. **All eligible employees are strongly encouraged to take annual vacations.** Employees who handle cash and/or have access to modifying accounting ledgers shall be required to accumulate and take a minimum of forty (40) vacation hours in succession each fiscal year

Full time employees shall be entitled to vacation credits accruable in accordance with the vacation schedule listed below.

Months of Service	Days Per Year	Hours Per Month
0-36	10	6.67
37-72	15	10.00
73-120	17	11.33
121-180	19	12.67
181-240	21	13.00
241-300	23	15.33
300+	24	16.00

Management Personnel Plan (MPP) employees hired, promoted or reclassified into management positions on or after July 1, 1991 shall earn sixteen (16) hours vacation per qualifying month of service.

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### 8.1 ACCUMULATION AND USE OF VACATION LEAVE

Vacation credits are earned upon completion of one month of service. One month of service shall be defined as having been on paid status for eleven full days within the month. However, vacation leave may not be taken until completion of six months of service, unless prior arrangements have been made as part of an employment offer. Temporary and part-time employees are not eligible to receive and use vacation credits.

At no time can vacation be used before the date it is earned, or used in units of less than one-half hour. An employee must have the prior approval of his or her supervisor before vacation can be taken. Request for vacation is recorded on the Leave Request Form, must be approved by the employee's supervisor, and submitted to the Human Resources Office prior to the vacation leave commencing.

At no time may an employee use accrued vacation hours in lieu of sick leave hours, except when an employee is on an approved leave status. Employees are required to exhaust their sick leave prior to requesting use of accrued vacation hours for sick leave. Requests for using vacation leave in lieu of sick leave must be approved by the employee's supervisor and are subject to the approval of the human resources manager.

If employment is terminated, the employee shall be paid for unused accumulated vacation leave credits.

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## 8.2 VACATION CREDIT BALANCE

Employees with ten or less years of service may carry a vacation credit balance of not more than thirty-four days (272 hours). Vacation credits may be accumulated to forty-eight days (384 hours) if the employee has more than ten years plus one month of service. Management-level employees may earn up to a maximum vacation accrual of 384 hours (48 days) for ten or less years of service and 440 hours (55 days) for ten years plus one month of service.

Any employee who reaches the maximum of their accrual will cease to accrue additional vacation until their accrual is reduced. At the end of each month, all full-time employees will receive a written monthly summary of their earned and used vacation credits.

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## 8.3 VACATION CASH CONVERSION

Each fiscal year, an employee with eighty or more hours of accrued vacation leave may elect to receive payment for all or a part of their vacation leave in excess of forty hours. In order to be eligible to exchange vacation for pay, the employee must have reached their three-year anniversary date. There is a limit of one such conversions per fiscal year, but any conversion must be preceded by the accrual of eighty or more vacation hours.

Vacation conversion shall be paid at the employee's regular rate of pay. Cash conversions are subject to normal payroll withholdings. All requests must be submitted in written memo form and must be approved by the employee's supervisor, the human resources manager and the executive director or designee. Upon conversion, the employee's vacation leave balance will be reduced accordingly.

Employees with less than eighty hours of accrued vacation may only request a vacation cash conversion by filing a hardship request, as outlined below.

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### 8.3.1 HARDSHIP REQUEST

In the event that an employee, eligible for vacation accrual, experiences a personal financial hardship due to circumstances beyond their control, they may submit a request to the Human Resources Department to receive cash payment of accrued vacation. Examples of qualifying hardship requests include unexpected legal expenses, unbudgeted medical expenses not covered by other means, or other situations that cannot be planned or anticipated.

In order to keep hardship requests and the circumstances surrounding such a request as confidential as possible, all hardship requests will be reviewed in the following manner:

- The employee submits a written request to the human resources manager describing the hardship and the need for cash payment of vacation hours
- The human resources manager obtains an updated copy of the vacation accrual from payroll to verify the number of vacation hours available
- If clarification of the request is necessary, the human resources manager will contact the requesting employee to obtain additional information

- A request that meets the qualifications described above requires the approval of both the human resources manager and executive director.
- The employee will receive a response regarding the status of their request within two working days from the date it is received by the human resources manager.
- The approved request will be delivered to payroll. A check will be prepared within two business days.

## 9.0 SICK LEAVE

Sick leave is accrued at the rate of one day per month for full-time employees, and may be utilized after one month of employment. For purposes of accruing, one month shall be defined as having been on paid status for a minimum of eleven full days within the month. Sick leave cannot be used before the date it is earned or used in units of less than one-half hour. Upon termination, employees will not be paid for unused sick leave.

Sick leave may be authorized only when an employee is absent because of:

1. Illness or injury - Supervisors may require a medical excuse for absences in excess of three days. In cases of injury or illness, employees are responsible for notifying their supervisor within one hour of the beginning of their shift on the first day absent.
2. Exposure to contagious disease - Supervisors may require a medical excuse for absences in excess of three days.
3. Illness or injury of a close relative or person residing in the immediate family of the employee (children, spouses, domestic partners, parents, grandparents, and siblings), excluding domestic help or roommates. Absence is limited to three days unless the employee is eligible for and placed on an approved Family and Medical Leave and/or California Family Care Leave.
4. Dentist or doctor appointment.
5. Emotional illness - Supervisors may require a written excuse for absences in excess of three days.
6. Personal necessity leave for the completion of personal errands of an urgent nature. The employee's supervisor shall determine the validity of claims for personal necessity leave.

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## 9.1 BEREAVEMENT LEAVE

In the event of a death in the immediate family member, regular, full-time employees shall be allowed up to six (6) consecutive scheduled working days of leave to arrange for and/or attend the funeral. Additionally, regular, full-time employees shall be allowed up to two (2) days of leave following the death of a pet for which they are primarily responsible. In all bereavement cases, the employee shall be paid their regular rate from accrued and available sick leave for each of the scheduled workdays missed (up to six). Additional days beyond the six allowed under this policy may be used from accrued vacation time upon recommendation from the employee's supervisor and approval by the appropriate director. Temporary, part-time, and hourly employees shall be eligible for unpaid bereavement leave of up to six days (or such longer period as may be necessary) with the prior written approval of their supervisor.

## 10.0 ELECTION LEAVE

An employee who would otherwise be unable to vote outside of their regular working hours may be granted up to two (2) hours of work time without loss of pay to vote at a general primary or presidential election. An employee must give proper notice, usually at least two (2) working days, to be eligible for paid time off to vote. Failure to provide proper notice eliminates the employees' right to paid leave, but the employee is still entitled to unpaid leave.

## 11.0 JURY DUTY

ASI encourages employees to fulfill their civic responsibilities by serving jury duty when required. Full-time employees may request up to 20 days of paid jury duty leave in any 24-month period. Jury duty pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked during the absence. The employee will be required to reimburse ASI the amount received for the jury duty, less mileage reimbursements. If the employee elects to keep the jury fee, the employee's vacation balance must be reduced by the number of hours of the absence, or time off is without pay.

Upon receipt, employees must provide a copy of the jury duty summons to their supervisor and ASI Human Resources department so that the supervisor can make arrangements to accommodate the employee's absence. ASI recognizes and adheres to the state's universal one-day-or-one-trial system. An employee who is called for jury duty, but is dismissed from serving after reporting to the court, is expected to report to work for the remainder of the workday. An employee who is scheduled to work an evening shift will have their work schedule adjusted on a case-by-case basis so that a day of jury duty service and the work scheduled equal not more than one regular workday. Either ASI or the employee may request an excuse from jury duty if, in the judgment of the human resources manager, the employee's absence would create serious operational difficulties.

If an employee is required to serve jury duty beyond the period of paid jury duty leave, they may use any available paid time off (e.g., vacation, personal holiday) or may request an informal unpaid leave of absence. ASI will continue to provide insurance benefits until the end of the month in which the unpaid jury duty leave begins. At that time, employees must pay the full cost of their insurance benefits (medical, dental, vision, and life). ASI will resume payment of benefit costs when the employee returns to active employment. Accrual for benefits calculation, such as vacation, sick leave, and holiday benefits, will be suspended during unpaid jury duty leave and will resume upon return of the employee to active employment.

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### 11.1 WITNESS DUTY

ASI provides two excused days off for regular, full-time employees who are called to serve as a witness in a legal proceeding, or have otherwise received a subpoena to appear in a legal proceeding not related to ASI or California State University, Long Beach business. Any compensation received in response to such witness service shall be returned to ASI. For witness duty related to ASI business, regular, full-time employees shall be provided up to two days of paid leave in order to participate in that witness duty. Any compensation received in response to such witness service shall be returned to ASI.

## 12.0 ORGAN AND BONE MARROW DONATION LEAVE

ASI provides employees with paid leave for the purpose of donating organs or bone marrow. When donating an organ to another person, an employee may take up to 30 business days in any one-year period and may take an additional 30 days of unpaid leave to donate an organ to another person within the one-year period. When donating bone marrow, an employee may take up to five business days in any one-year period. The one-year period for the leaves under this policy is measured from the date that the employee begins his or her leave.

Employees who wish to take leave to donate an organ or bone marrow are required to provide as much advance notice as possible and must provide Human Resources with verification from a physician that the donation will take place and that there is a medical necessity for the donation. While this leave is paid, employees must first use up to 10 days accrued sick or vacation time when donating an organ, or up to five days accrued sick or vacation time when donating bone marrow.

Leave taken under this policy does not constitute a break in service for healthcare insurance coverage, accrual of vacation or sick pay, or seniority, but this leave shall not run concurrently with an eligible employee's FMLA or CFRA leave.

Under most circumstances, an employee returning from leave under this policy will be reinstated to the same or equivalent position; however employees have no greater right to reinstatement than if they had been continuously employed during the leave. For example, if the employee would have been laid off had they not gone on leave, or if the position is eliminated during the leave, then they will not be entitled to reinstatement.

### 13.0 DOMESTIC VIOLENCE LEAVE

Employees who are victims of domestic violence or whose children are victims of domestic violence shall be entitled to time off for the following purposes:

1. Serve on an inquest, jury or trial jury;
2. Appear in court;
3. Obtain relief including but not limited to a restraining order;
4. Seek medical attention for injuries;
5. Obtain services from a domestic violence shelter, program or rape crisis center;
6. Obtain psychological counseling;
7. Participate in safety planning or to take other actions to increase safety from future domestic violence, including temporary or permanent relocation.

Reasonable notice to the human resources manager is required when possible, and certification such as a police report, court order, doctor, or counselor's note may be required. Employees eligible for domestic violence leave may use any available paid time off that is available such as vacation or personal holiday. To use available sick leave, a medical certification from a treating physician may be required.

### 14.0 DISASTER LEAVE

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#### 14.1 LEAVE DURING EMERGENCY CLOSURES

Approved leave with pay shall be granted to all employees who are scheduled to work but are denied access to the campus during periods of emergency closure. Employees on scheduled vacation or sick leave on any day of emergency closure shall be charged for the vacation or sick leave as appropriate.

Employees who are absent on any day of closure because they are on unpaid status (i.e., disciplinary suspension, leave without pay) shall not be granted disaster leave.

Essential, non-exempt personnel required to work their regular work schedule during periods of campus closure will receive their regular pay rate for hours worked and will receive overtime compensation according to current state law.

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#### 14.2 LEAVE IF CAMPUS IS OPEN

An employee who could not report to work in the period following an emergency because of any peril to human life and/or property (i.e., picking up a minor child following a school closure, damage to home) shall be granted a reasonable period of paid disaster leave.

Employees who elect not to work in the period(s) following the emergency for reasons related to health or safety concerns or personal necessity not involving an immediate peril to human life and/or property may use accrued vacation or sick leave where appropriate.

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#### 14.3 ISSUANCE OF PAYCHECKS

In the event that a payday falls within a period during which the campus is closed, paychecks will not be issued. Alternate arrangements for the distribution of paychecks may be made as deemed necessary by the emergency situation and duration of campus closure.

#### 15.0 ABSENCE WITHOUT LEAVE

An employee who is absent without supervisory approved leave from employment for three consecutive working days is considered to have resigned. The date of termination is the last working day or the last day of any approved absence.

#### 16.0 INFORMAL LEAVE OF ABSENCE WITHOUT PAY

Supervisors may approve informal leaves of absence without pay for up to a maximum of fifteen (15) days for full-time regular employees, subject to approval of the human resources manager and the appropriate Director. Requests for such leaves are usually approved when an emergency situation precludes an employee's work attendance and no vacation time is available, or when an employee is ill and no sick leave time is available. Supervisors are responsible for completing and submitting a Personnel Action Form to the human resources manager immediately upon granting an informal leave of absence.

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#### 16.1 SCHOOL VISITATION

Parents or guardians of children in kindergarten through grade 12 may take time off without pay to visit their children's school. Employees are required to give reasonable notice and may take up to forty (40) hours each school year, not to exceed eight (8) hours in any calendar month, per child, to visit the school. At the employee's request, any accrued vacation or personal holiday time may be used in lieu of unpaid leave.

#### 17.0 FORMAL LEAVE OF ABSENCE WITHOUT PAY

Several types of formal leaves of absence are available for eligible employees under ASI's policies. The types of leaves that are available include medical leave, family care leave, and public safety leave. All leaves of absence are provided on an unpaid basis; however, to the greatest extent allowed by law, ASI will require that the employee's vacation, sick leave benefits or other leave of absence privileges under ASI policy be applied toward any family leave that the

employee may request under Family Medical Leave (FML) or Pregnancy Disability Leave (PDL). An employee may elect to coordinate their accrued vacation with state disability.

Requests for any type of leave must be submitted on the Personnel Action Form and must be signed by the employee's supervisor, the human resources manager, and the appropriate director before the leave begins, unless otherwise provided in the following sections. Requests for extensions of leaves must be submitted in writing by the employee and approved in writing by the appropriate director and the human resources manager before the extended period of leave begins. Misrepresenting reasons for applying for a leave of absence may result in disciplinary action, possibly including termination.

Family Medical Leave (FML) makes it unlawful for ASI to interfere with, restrain, or deny the exercise of any right provided under FML entitlements. Furthermore, it makes it unlawful for ASI to discharge or discriminate against any person for opposing any practice made unlawful by FML or for involvement in any proceeding under or relating to FML. The U.S. Department of Labor is authorized to investigate and resolve complaints of violations. An eligible employee may bring a civil action against ASI for violations. FML does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law that provides greater family or medical leave rights.

Certain management employees are not eligible for specific Family Medical Leave (FML) entitlements. There are certain exceptions to eligibility and ASI is legally permitted to deny a request for leave under certain conditions.

Also, taking a family care leave may impact certain benefits and the employee's seniority date. For further information regarding eligibility for leave or the impact of the leave on your seniority and benefits, contact the Human Resources Department.

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## 17.1 FAMILY MEDICAL LEAVE (FML)

The Federal Family and Medical Leave Act (FMLA) and the California Family Rights Act (CFRA) provide employees with specific leave benefits. It is the intention of ASI that the regulations described herein shall satisfy the provisions of both Acts concurrently.

Family and Medical Leave (FML) is provided for an eligible employee's serious health condition, the serious health condition of the employee's child, spouse, or parent, or to bond with the employee's newborn, adopted, or foster care child, in accordance with State and Federal law in effect at the time the leave is granted. Leave granted for bonding purposes shall only be considered during the first twelve (12) months following the child's birth or placement for adoption or foster care.

Employees are entitled to a total of twelve (12) workweeks of job-protected, unpaid FML leave during any twelve (12) month period. Where a husband and wife are both employed by ASI, the aggregate leave to which both are entitled may be limited to twelve (12) workweeks in any twelve (12) month period, if the leave is taken by reason of the birth or placement of a child with the employee, or to care for a parent or child with a serious health condition.

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### 17.1.1 ELIGIBILITY

For purposes of eligibility determination, employees shall be considered eligible once they have completed twelve (12) months of service with ASI, and have worked at least 1,250 hours during the twelve (12) months immediately preceding the date of the leave request.

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### 17.1.2 METHOD OF CALCULATION OF 12-MONTH PERIOD

For the purpose of determining the leave eligibility period, ASI will measure backward for twelve (12) months preceding the date the leave commences to determine how much leave is available.

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### 17.1.3 CERTIFICATION

When FML is taken for medical reasons, ASI will require the employee to provide a certification from the health care provider of the person requiring care, whether it be the employee or the employee's spouse or domestic partner, child, or parent. The certification shall be sufficient if it states:

1. The date on which the serious health condition commenced;
2. The probable duration of the condition;
3. The appropriate medical facts within the knowledge of the health care provider regarding the condition;
4. A statement that the eligible employee is needed to care for the spouse, child, or parent and an estimate of the amount of time that the employee is needed to care for the spouse, child, or parent or a statement that the employee is unable to perform the essential functions of their position.

Subsequent re-certifications during an approved leave may be required. Employees whose leave was occasioned by their own serious health condition will be required to submit a medical certification that the employee is "fit for duty" and able to perform the essential functions of their position. ASI retains the right to require second or third opinions at ASI's expense.

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### 17.1.4 BENEFITS

The employer premium contributions for medical, dental, and vision insurance plans shall continue for the duration of approved Family Medical Leave. Employees will be responsible for continuing any prevailing employee contributions in effect during the period of the leave. Failure to arrange for payment during the leave period may result in lapse or loss of insurance coverage(s).

For all other types of leave, the employer contribution for insurance benefits shall cease at the end of the month in which the leave begins. Accruals of other benefit calculations, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon return to active employment for no less than 88 hours (11 paid days) in any one month). Employer and employee contributions to the CalPERS retirement will continue only while the employee is receiving compensation (including vacation, sick leave, personal holiday) from ASI.

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### 17.1.5 REINSTATEMENT

Upon return from Family Medical Leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. The use of FML leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave. To the extent possible, the employee will be returned to the same position they occupied at the time the leave began. In the event that operating conditions preclude a position from remaining vacant, the requesting employee will be returned to the most comparable position for which they are qualified, within the area that they are normally employed.

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## 17.2 PREGNANCY DISABILITY LEAVE



Any ASI employee who becomes disabled due to pregnancy, childbirth, or a related medical condition is automatically eligible to take Pregnancy Disability Leave (PDL) up to a maximum of sixteen (16) workweeks (4 months). Certain pregnancy-related disabilities may also qualify as Family Medical Leave. In those instances, PDL will be provided in addition to California family leave (CFRA) entitlements. For determination purposes, PDL runs concurrently with the federal leave (FMLA) and subsequent to California family leave (CFRA).

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### 17.3 CALIFORNIA FAMILY CARE LEAVE

Refer to the section on *Family and Medical Leave (FML)*, for a description of this policy.

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### 17.4 PUBLIC SERVICE LEAVE

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#### 17.4.1 MILITARY SERVICE LEAVE

The ASI will comply with all rights and obligations provided under the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) and any subsequent amendments.

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#### 17.4.2 PUBLIC SAFETY LEAVE

Employees who are required to attend scheduled drill periods of the reserve police or reserve fire units shall use their own free time, or vacation time to fulfill such reserve obligations. If such reserve obligations fall on the employee's regular work shift, the supervisor shall make every effort to change the employee's schedule to avoid the necessity of using vacation time, provided five working days' notice is received from the employee.

Employees on public safety leaves of absence must pay for the entire cost of group health, dental, and vision insurance and any discretionary benefits for the entire period of any unpaid leave. Employees must arrange for all necessary payments before their leave commences. Failure to arrange for payment during this period will result in the lapse of insurance coverage(s) as of the first day of an unpaid public safety leave.

Exceptions to this policy will occur wherever necessary to comply with applicable laws.

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#### 17.4.3 NOTICE REQUIREMENTS

Employees requesting a Leave of Absence (of any type) must provide (where feasible) at least thirty (30) days of advance written notice to their supervisor and the Human Resources Office (HRO). If thirty (30) days' notice is not practicable, such as a change in circumstances or medical emergency, notice must be given as soon as practicable. An employee's notification requirements will be satisfied once a completed Leave of Absence form has been received by the Human Resources Office. It is the responsibility of ASI to respond to a leave request in writing, paid or unpaid, and to designate the leave as FMLA, CFRA, or PDL, within ten (10) calendar days after receiving the request.

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### 18.0 ADMINISTRATIVE LEAVE

Administrative leave with or without pay can be given when it is in the best interest of ASI for an employee to leave the worksite, or not to return to the worksite, for a specified period of time. Although administrative leave may be used in conjunction with disciplinary action, it is not, in itself, a form of disciplinary action.

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#### 18.1 ADMINISTRATIVE LEAVE WITH PAY

A supervisor or other ASI management official may place an employee on administrative leave with pay for the remainder of the employee's work day in the following instance:

- When it is perceived to be of an urgent or serious nature that an employee be immediately removed from the worksite for the remainder of the employee's workday
- When it is in the best interest of ASI to remove an employee from the worksite during the investigation of an alleged violation of law or of ASI policy

Prior to placing an employee on administrative leave with pay, the supervisor must notify the Human Resources department. To place an employee on administrative leave with pay for periods of time longer than the remainder of the employee's workday, the supervisor must obtain prior approval from both the human resources manager and the appropriate division director.

In other extraordinary circumstances not covered elsewhere in this policy, a supervisor may place an employee on administrative leave with pay if authorized and approved by the executive director or their designee.

Time designated as administrative leave with pay will not be charged to the employee's paid leave.

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#### 18.2 ADMINISTRATIVE LEAVE WITHOUT PAY

An employee may be relieved of duties without pay for offenses that may result in termination, or if the employee's continued presence in the workplace would clearly jeopardize the well-being of ASI or any of its employees or students. The supervisor must notify the Human Resources Department prior to placing the employee on administrative leave.

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#### 18.3 RETURN TO WORK

When employees are absent from work on administrative leave, their positions shall be held for them, unless it is determined through the process of disciplinary action that the employee is to be terminated. Following administrative leave, an employee shall return to their former position. If necessary, a temporary employee may be used while an employee is on administrative leave.

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#### 18.4 REPORTING AND RECORD KEEPING

The department supervisor must indicate the leave and the specified reason for the leave, using the Personnel Action Form. Administrative leave must be subsequently reported on payroll attendance records. The Human Resources Office shall be responsible for keeping records of administrative leave used by its employees.

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#### 18.5 NOTIFICATION

Written notification to the employee is required when an employee is placed on administrative leave with pay for periods of time greater than the remainder of the workday or placed on administrative leave without pay. A copy of the notification must be submitted to the Human Resources Department.

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#### 19.0 LEAVE DONATION

ASI allows full-time employees to donate up to 16 hours per fiscal year of their vacation and/or sick leave credits to other employees who:

- Have experienced an illness or injury which totally incapacitates them from work for a minimum of forty five (45) calendar days; and
- Have exhausted their accrued leave credits (sick leave, vacation, personal holiday).

Leave credits may be donated in no less than one-hour increments. To qualify for the receipt of donated leave credits, an employee must provide a physician's statement specifying the duration of the illness or injury and documenting that the employee is totally incapacitated from work.

The illness or injury must be one that has totally incapacitated the employee from work. Conditions that are short-term in nature (e.g. flu, measles, common illnesses and injuries, etc.) are not included. Chronic illnesses or injuries that result in intermittent absences from work may be included (e.g. cancer, AIDS, major surgery). Generally, speaking, such chronic illnesses or injuries must be considered both long term in nature and require long term recuperation periods.

The leave donation provisions may also apply in those instances when an employee is required to take extended periods of time off in order to care for an incapacitated close relative or person residing in the immediate household of the employee, including domestic partners, but excluding domestic help or roommates. In such cases, the employee must exhaust all accrued vacation and sick leave in order to qualify for donated leave. Only donated vacation credits may be used for such family care leave.

The total amount of leave credits donated and used may not exceed an amount sufficient to ensure the continuance of the employee's regular rate of compensation, less any disability payments received by the employee. The total donated leave credits shall normally not exceed three calendar months calculated from the first day of catastrophic leave. In exceptional cases, an additional three-month period may be approved.

The human resources manager shall administer all solicitation and coordination of leave donations.

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## 20.0 RESPONSIBILITIES

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### 20.1 HUMAN RESOURCES MANAGER

It shall be the responsibility of the human resources manager to:

- Provide for administration of the procedures outlined in the Employee Leave Policy
- Assist directors, supervisors and employees in the implementation and administration of the Employee Leave Policy
- Recommend to the Human Resources Committee changes to the Employee Leave Policy or changes in the actual benefits and leave granted to employees, where considered appropriate

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### 20.2 SUPERVISORS

It shall be the responsibility of supervisors to:

- Ensure the completion of all required forms and records regarding the Employee Leave Policy
- Ensure that employees are aware of the Employee Leave Policy
- Ensure that employees provide complete information and all necessary documentation for required forms, in accordance with the Employee Leave Policy
- Assist other employees in clarifying eligibility for leave programs and in the completion of the necessary documentation
- Recommend changes to the Employee Leave Policy where considered appropriate

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### 20.3 EMPLOYEES

All employees shall:

- Become familiar with the Employee Leave Policy
- Comply with all regulations and procedures as outlined in the Employee Leave Policy

## EMPLOYEE APPEARANCE

### BACKGROUND AND PURPOSE

While on the job, employees are representatives of the Associated Students, Incorporated (ASI) and should follow dress and personal grooming standards that are generally acceptable for student/staff contact in a university setting. To avoid the necessity of implementing a strict dress code, the ASI simply asks employees to exercise common sense in dressing professionally, in good taste, and according to the requirements of their respective positions.

### POLICY STATEMENT

ASI believes that the appearance of its staff is extremely important in establishing a positive image on- and off-campus and for exemplifying a professional example for students. It is the policy of ASI that all employees be professionally, neatly and appropriately groomed and attired for the work to be done. These rules apply to all employees as indicated, regardless of funding source.

### 21.0 GROOMING

Personal hygiene and grooming is the responsibility of each employee, both to prevent the spread of disease and to maintain a socially acceptable standard for personal interaction with others. Persons not meeting an acceptable standard for personal grooming should be privately counseled by the immediate supervisor, or referred to the Human Resources Office. Exceptions to personal grooming standards that are necessitated by a valid medical condition are permissible, but should be discussed with the immediate supervisor to prevent misunderstandings.

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#### 21.1 USE OF FRAGRANCES

Perfume, cologne, and aftershave lotion should be used moderately or avoided altogether in the workplace. Since some individuals are sensitive or allergic to strong fragrances, employees are expected to avoid creating an unhealthy or unpleasant environment for fellow employees, customers and guests. Supervisors should be alert to potential problems in this area and employees should confer with their supervisor if they perceive a problem.

## 22.0 DRESS STANDARDS

### 22.1 NON-STUDENT STAFF

Although ASI does not wish to dictate what constitutes acceptable attire for all employees in all departments, certain articles of clothing have been identified as incompatible with the goal of projecting a professional image. Accordingly, full and part-time employees should NOT wear the following articles of clothing while on the job, unless called for by special occasions, such as Halloween observance of an approved special event such as Halloween.

#### 22.1.1 PROHIBITED ATTIRE

The following attire is prohibited at all times, regardless of the occasion.

- Ripped, torn, or frayed clothing
- Clothing with obscene or degrading graphics or comments
- Clothing with graphics or words which could be considered offensive
- Suggestive or revealing attire
- Clothing so tight that it restricts normal body movement

#### 22.1.2 PROHIBITED HATS

While generally prohibited, exceptions to the following prohibited hats may be granted by the appropriate division director to accommodate staff with special occupational requirements.

- Baseball caps
- Knit caps or "beanies", or "ski" caps
- Novelty or costume hats, etc.

#### 22.1.3 PROHIBITED TOPS

- Tube tops or tank tops (unless worn under other tops)
- Midriff shirts or tops which allow exposed skin, or "belly" shirts
- " Sheer or mesh tops
- Halter tops, tank or strapless tops revealing bare shoulders unless worn under a sweater, blouse, or jacket
- "Off the shoulder" tops
- Novelty t-shirts and sweatshirts (o.k. for casual days) unless graphics or words could be considered offensive

#### 22.1.4 PROHIBITED BOTTOMS

- Athletic or running shorts

- Spandex/lycra workout or bicycling shorts
- "Short" shorts or hot pants
- Swimming trunks or bathing suits
- Workout, jogging, or sweatpants unless determined appropriate for a specific duty or recreation program
- Leotards or leggings (unless worn under other clothing)

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#### 22.1.5 PROHIBITED FOOTWEAR

- Beach sandals, or "flip-flops", or backless shoes

Acceptable attire for full- and part-time employees working in ASI Recreation shall be determined by the Director, Student Recreation and Wellness Center. Dress requirements shall be based on the specific nature of a particular recreation program and may vary from the items identified above as prohibited. ASI Recreation employees must check with their immediate supervisor to determine what constitutes appropriate attire.

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#### 22.2 CASUAL DAYS

Fridays are designated as casual days on which full- and part-time employees may dress in a less formal manner, such as wearing jeans. Employees are also free to dress casually during non-academic periods, such as winter break and spring recess.

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#### 22.3 BEACH PRIDE DAYS

On days designated as Beach Pride days, employees are permitted and encouraged to wear CSULB and/or ASI emblematic attire that meets standards for cleanliness, neatness, modesty, and good taste.

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#### 22.4 STUDENT STAFF

Department supervisors shall determine what constitutes appropriate attire for student assistants employed in their department. Nonetheless, the general standards of dressing modestly, in good taste and according to the requirements of the position still apply.

If there are any questions as to what constitutes proper attire within a given department, the supervisor or department head should be consulted. In making a determination, the supervisor shall consider the following factors:

- The nature of the work;
- Whether the dress is consistent with a collegiate environment;
- Health and safety factors;
- The nature of the employee's public contact and the normal expectations of outside parties with whom the employee will work;

- The employee's interaction with other students;
- The prevailing practices of other workers in similar jobs;
- Any departmental guidelines for dress or appearance; and
- Prohibited attire as noted above.

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#### 22.5 SUPERVISORS' RESPONSIBILITY

If the supervisor determines that an employee's dress or appearance is inappropriate, the supervisor will counsel the employee regarding appropriate attire that is consistent with these regulations and will determine whether the employee is allowed to remain at work or must leave work to change his/her attire. Any failure to follow the supervisor's directive and/or repeated violations of this policy will subject the employee to disciplinary action up to, and including, dismissal. All such actions shall be documented using the Employee Counseling Action form.

#### 23.0 BADGES

The wearing of a name badge shall be required of full-time, part-time, and student assistant employees who routinely, as part of their position, interact with the campus public or are visible to the campus public in the University Student Union or Student Recreation and Wellness Center. All other employees are encouraged to wear a name badge. All staff will be issued an identification badge by the Human Resources Department upon employment. The original identification badge will be provided without charge. If a badge is lost, it is the employee's responsibility to notify their supervisor immediately and to replace the lost badge. There will be a \$5.00 replacement fee if a badge is lost. Badges will be replaced at ASI's expense if an individual's name legally changes, or if the employee's job title or department changes. Name badges must be worn above the waist, on the front of the body, and in a visible position.

#### 24.0 UNIFORMS

When employees need to be easily recognized for safety, security, and service concerns, ASI shall require employees to wear uniforms. Uniforms will be determined based upon the need for employee identification and safety considerations. This regulation does not pertain to corporate attire to be used for special events or corporate spirit.

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#### 24.1 PROVISION OF UNIFORMS

ASI will determine which employees will be required to wear uniforms and issue each employee a reasonable number of uniforms or uniform items. ASI will furnish or reimburse the employee for the uniform items. All uniforms items purchased, whether by ASI or by the employee, must conform to ASI's Sweatshop Free Procurement regulation. All employees will be required to sign a receipt for the clothing issued to them. Additional uniforms may be purchased at the expense of the employee at any time. Selection of uniforms should be conducted in consultation with affected staff to ensure that uniforms are practical, comfortable, and do not hinder an employee's ability to effectively and safely perform their job.

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#### 24.2 CARE AND MAINTENANCE

Laundering and care for uniforms shall be the responsibility of the employee. Uniforms must always look clean and professional. Any employee determined to have intentionally abused their uniform will be held financially liable for

the replacement cost. Uniforms that have been damaged due to normal wear and tear and deemed unprofessional will be replaced at the sole discretion of the employee's supervisor.

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#### 24.3 FAILURE TO WEAR UNIFORMS

Any employee reporting to work not wearing the complete uniform determined by their supervisor will not be allowed to report for work. Such behavior may result in disciplinary action.

There will be approved occasions and special events when uniformed staff members will be allowed to modify their attire. Approval must be obtained from the supervisor prior to reporting to work.

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#### 24.4 UNIFORMED POSITIONS

Employees designated to wear uniforms include, but are not limited to the following positions which serve as front line staff and whose job functions require them to be consistently mobile throughout the University Student Union and other ASI premises on a daily basis:

- Full- and Part-Time Facility Services Staff
- Full- and Part-Time Maintenance Employees
- Full- and Part-Time Building Managers
- Full- and Part-Time Recreation Center Staff
- Full- and Part-Time Recycling Center Staff

## EMPLOYEE COMPENSATION

### BACKGROUND AND PURPOSE

The Associated Students, Incorporated is committed to providing a total compensation package that enables the corporation to attract and retain highly skilled and talented employees for all positions. A competitive total compensation package includes an effective salary administration program and a comprehensive benefits plan that serves to:

- Affirm ASI's commitment to Equal Employment Opportunity
- Maintain consistency with the CSU employee classification standards and compensation
- Provide individual choice in selecting benefits
- Recognize the diverse needs of the employee population

The purpose of ASI's Policy on Compensation is to provide equity, incentive, and CSU comparability in the administration of the corporation's compensation program for all employees.

### POLICY STATEMENT



Within the framework of applicable law, and consistent with the judicious expenditure of funds, it is the policy of the Associated Students, Incorporated to employ competent personnel, motivate these employees to perform well, and create inducements both through basic compensation and fringe benefits to retain competent employees for productive periods of service.

Pursuant to Education Code, Section 89900(c) and Title V, Section 42405(a) the Associated Students, Incorporated shall provide salaries, working conditions, and benefits for its full time employees that are comparable to those provided CSU employees performing substantially similar services. For those full time employees who perform services that are not substantially similar to those performed by CSU employees, the salaries established will be based on a study of the salaries prevailing at other educational institutions in the area or commercial operations of like nature.

The Associated Students, Incorporated will meet the requirements for comparability by providing its regular, full time employees with the following:

1. Salaries that fall within the corresponding salary range that would be paid to a CSULB employee in the same CSU classification (if applicable)
2. A benefits package (exclusive of educational benefits) that is modeled after that provided by CSULB to its full time employees
3. A personnel management and employee relations system that is within the parameters of that established by the CSU for its full time employees

The Human Resources Management Committee will act to ensure that no adopted personnel policy restricts or limits the rights of ASI employees any more than would occur within the general personnel practices of CSULB, with the exception of individual Memoranda of Understanding governing collective bargaining unit arrangements.

## 25.0 SALARY RANGES

ASI follows salary ranges published by the California State University Office of the Chancellor. The determination of an appropriate salary range is contingent upon the determination of a position's CSU classification. For positions that cannot be classified according to the CSU standards, salary ranges will be based on periodic surveys of salaries paid for similar positions in the higher education and nonprofit organizations market.

Salary ranges for full-time positions, exclusive of management personnel and unclassified positions, consist of a minimum and a maximum rate as published in the most recent edition of the California State University Salary Schedule.

Revisions to the CSU Salary Schedule will be monitored by the Human Resources Office and reported to the Human Resources Management Committee. Generally, such revisions will have no impact on individual salaries, unless one of the following occurs:

1. The revision results in a new minimum rate that is higher than the rate currently paid to an ASI employee in the same classification. In this case, the employee's salary may be increased to the new minimum rate published in the CSU Salary Schedule.

2. The revision results in a new maximum rate that is lower than the rate currently paid to an ASI employee in the same classification. In this case, the employee's salary may be "red-circled."

In both cases, the position in question will be audited to ensure that it is appropriately classified before any action is taken. If the position is correctly classified, the corresponding salary action referenced above will be submitted to the human resources manager for approval.

If it is determined that the position is not correctly classified, the position description will be referred to the human resources manager for consideration of a new classification and corresponding salary range, subject to the approval of the executive director.

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## 25.1 INITIAL COMPENSATION

The initial appointment of a candidate is to a classification with a corresponding salary range. The salary actually offered to a candidate is based on the candidate's skills and abilities in relation to a number of factors including the position/classification requirements, internal and external considerations, as well as budgetary considerations. Specifically, the following factors shall be considered in determining an appropriate starting salary.

- The salary range or skill level sub-range established for the position
- An assessment of the candidate's knowledge, skills, and abilities against the overall requirements for the position and classification and/or skill level
- An internal assessment of salaries of existing employees in comparable positions
- An analysis of applicable market data, if appropriate

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### 25.1.1 APPOINTMENT SALARY

Appointment salaries are commensurate with a candidate's experience and capabilities in relation to the salary range established for the position, as well as internal and external considerations. Following are the approved practices for determining a starting salary. The salary range quartiles and mid points referred to for hiring ranges are calculated using the minimum and maximum rates for the classification's salary range or for the skill level sub-range for classifications with skill levels.

#### 25.1.1.1 FIRST QUARTILE

Hiring within the first quartile of a salary range is appropriate when the candidate is qualified for the position, but still requires a training period to become fully familiar with the requirements of the position. Hiring managers are given the discretion to hire in the first quartile.

#### 25.1.1.2 SECOND QUARTILE

Highly skilled candidates who need minimal training are most often hired in the second quartile of the range up to the mid-point. This is most common with career level professional positions. Hiring at this level can only occur after:

1. The hiring manager meets with the human resources manager and provides pertinent information (e.g. level of skills, experience, salary history, pay stubs, budget availability) supporting the salary proposal, and
2. The appropriate Division Director reviews the information and approves the final offer.

### 25.1.1.3 ABOVE MID-POINT

In rare operational circumstances, highly qualified individuals with exceptional expertise may need to be hired in excess of the salary range mid-point. Hiring at this level can only occur after:

1. The human resources manager reviews the request and provides their analysis and recommendations.
2. The analysis and recommendations are reviewed by executive director who has final decision authority.

An appointment salary above the midpoint of the range will be considered in only the following circumstances.

- Clear recruitment and retention difficulties as demonstrated by prolonged and/or unproductive recruitments and high rates of turnover.
- The exceptional qualifications of a preferred candidate in relation to the applicant pool and classification and/or skill level requirements.
- Prevention of substantial salary loss by the preferred candidate.

For current employees selected through the recruitment process for a position in their same classification but in a different department, the hiring department has the discretion to offer the employee a salary increase of 1% to 5%, subject to budget availability.

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### 25.2 SHIFT DIFFERENTIAL

Non-exempt employees who are assigned to work the evening shift shall receive a \$1.25 per hour pay differential over and above the salary rate for their classification. Employees must work at least four hours during an evening to be entitled to shift differential payment. The amount of the shift differential is added to the salary rate and becomes the new base salary. Deductions are based on the revised base salary.

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### 25.3 RED-CIRCLE RATE

A red-circle rate is a salary rate above the maximum rate of a position's salary range. It is authorized in certain situations to reduce the adverse financial impact on an employee resulting from the reclassification of his or her current position to one with a lower salary range. When a red-circle rate is granted, the employee retains the salary currently being paid. The employee remains at that salary rate until the maximum rate of the lower class equals or exceeds the red-circle rate or until the time period for maintaining the red-circle rate expires, whichever occurs first. During such time as the employee receives a red-circle rate, the employee shall not be eligible for further salary increases except as provided in this policy.

Red-circle rates are not authorized when:

1. An employee, for personal convenience, requests voluntary demotion;
2. An employee is demoted for disciplinary reasons;
3. The position occupied by the employee is eliminated and no comparable positions in which the employee could be placed are available at the time.

If an employee receiving a red-circle rate is reclassified, the salary rate upon reclassification to a higher class shall be determined as follows:

1. If the red-circle rate is within the new salary range:
  - a. An employee who has been on the red-circle rate for one year or more may receive a salary adjustment of 1% to 5%.
  - b. An employee who has been on the red-circle rate for less than one year shall remain at the same rate.
2. If the red-circle rate is outside of the new salary range, the employee shall retain that rate for the duration of the original authorization period or until the maximum of the new class equals or exceeds the red-circle rate.

If within the period that the red-circle rate is in effect, an employee receiving that rate is reappointed to their original class, the employee shall receive the same rate in the salary range (adjusted for changes in the salary range) that the employee was receiving at the time of reclassification to the lower class.

If the authorized period for the red-circle rate has expired and the maximum rate of the new classification has not equaled or exceeded the red-circle rate, the employee shall be compensated at the maximum rate of the new salary range.

An employee who was compensated at a red-circle rate before a permanent separation will not be entitled to that rate upon his or her return to work. Also, the authorization for a red-circle rate shall be cancelled if the employee refuses a bona fide offer of appointment to a position within ASI in a classification in the same occupational series at a salary level equivalent to the original classification from which the employee was moved.

The red-circle rate policy should be utilized only after other attempts to correct the situation have been considered. For example:

1. The incumbent may be reassigned to a vacant position at the original classification level provided he or she meets the minimum qualification requirements.
2. The position may be restructured so that the duties and responsibilities assigned warrant continuation of the original classification and salary range. This action would take place only if the nature of the proposed duties were necessary to achieve corporate objectives.

The human resources manager is responsible for accepting requests for red-circle rates. Since red-circle rates are not automatic, but are authorized for individual employees, each request is reviewed on its own merits. An employee otherwise eligible could retain a red-circle rate for up to five years.

## 26.0 OVERTIME COMPENSATION

All exempt and non-exempt employees shall be compensated in accordance with current state and federal law.

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### 26.1 OVERTIME PAY

Non-exempt employees shall receive overtime pay after eight (8) hours in any workday and after forty (40) hours worked in a workweek.

All overtime work by a non-exempt employee must be authorized in advance by an employee's supervisor. Overtime must be recorded on the Attendance Report form (Timecard), and submitted to payroll. In accordance with state and federal law, earned overtime is paid on the first payroll following the pay period in which it was earned. Because unauthorized overtime is against ASI policy, employees who work unauthorized overtime are subject to disciplinary action.

Exempt managerial and supervisory personnel are exempted from overtime pay and are not subject to this policy.

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## 26.2 HOLIDAY PAY

Full-time, non-exempt employees who work on a university recognized holiday or an ASI corporate holiday called by the Executive Officers of the corporation, shall be entitled to receive monetary payment on a double-time basis. The employee will be compensated with eight hours of holiday pay in addition to one hour regular pay for each hour worked on the holiday. Compensatory time is not permitted in lieu of overtime for non-exempt employees. All other part-time, non-exempt employees who work on ASI recognized holidays will be paid at their regular rate of pay for the first eight hours and overtime for hours in excess of eight according to current California law.

Exempt employees do not accrue any compensatory time for working on a state recognized holiday or a holiday called by Executive Officers of the corporation.

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## 26.3 CALLBACK PAY

Non-exempt employees are entitled to callback pay if ordered to work after completing a normal work shift, or if called back on an authorized day off. A minimum of four hours work time shall be paid provided the employee was called back to work without being notified before completion of the work shift, or if notified before completion of the work shift, the work begins more than three hours after the normal completion of the work shift.

When time worked on a callback basis results in overtime, the overtime hours worked must be compensated as outlined in Section 2.1 above. If an employee working on a callback basis is not working overtime, but the time required for the completion of the job extends beyond four hours, the employee will be paid on an overtime basis for the additional hours.

When staff meetings and training sessions are regularly scheduled on an employee's normal workday but outside the normal work shift, the employee shall receive overtime compensation.

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## 27.0 SALARY ADJUSTMENTS

Periodic salary adjustments shall be based on performance, market comparability, the effects of inflation, or the acquisition of new skills or additional duties, as well as the ability of ASI to pay.

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## 27.1 IN-RANGE PROGRESSIONS

An In-Range Progression (IRP) is a permanent increase to an employee's base salary within a salary range for a single classification or within a sub-range of a classification with skill levels. The IRP provides opportunities for upward

movement within the assigned salary range based on the specific criteria outlined in this guideline. ASI has established the following procedure for processing and approving in-range progressions.

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#### 27.1.1 CRITERIA

In-Range Progressions will be considered only in the following situations:

##### 27.1.1.1 EQUITY

Equity data will be provided and analyzed by ASI Human Resources as the basis for the recommendation to the appropriate Division Director. Internal equity is considered when the nature of the work is substantially similar and when factors such as seniority, experience, education, and/or professional certifications would not explain salary differentials among comparison cohorts.

A comparison of total compensation may be based on outside salary survey data for similar positions at organizations that would normally compete for our employees in the public, higher education or nonprofit sectors is conducted to determine the target salary for a given position. The incumbent's experience, education, and/or professional certifications are also considered to determine the appropriate rate of pay; and/or

##### 27.1.1.2 NEW SKILLS ACQUISITION

An incumbent will be expected to acquire substantive, new skills that are both essential to the position and consistent with the current classification standard. This criterion requires that the Division Director design a training plan with the expected outcomes and proposed schedule for completion of the plan and have this plan approved by ASI Human Resources. The incumbent may not start the training plan before it is approved by and on file with ASI Human Resources. Once the incumbent successfully completes the training plan, ASI Human Resources will award the IRP which would normally be at an increase of 5% of the employee's salary at the time of completion. A request for an increase above 5% may be considered with appropriate advance documentation regarding any extraordinary circumstances, and must be approved by the ASI executive director.

##### 27.1.1.3 RETENTION

These adjustments are awarded to retain an employee who has received a bona fide offer of employment from off-campus. The department must provide ASI Human Resources with a copy of the offer letter and describe how the employee and the position are critical to the on-going operations of the department. ASI Human Resources will analyze both internal and external equity data and provide a recommendation to the appropriate Division Director.

##### 27.1.1.4 EXEMPLARY PERFORMANCE

These adjustments are awarded to employees who have an official, documented annual performance review in their current position with an overall rating of exemplary within the most recent review period. The performance criteria must be in writing and be made known prior to the performance period. The IRP awarded will be 3% - 5%.

##### 27.1.1.5 ADDITIONAL RESPONSIBILITIES

These adjustments are awarded to employees who have had a permanent, consistent, and substantial increase in their workload; or awarded to employees who are assigned additional responsibilities that are significant (or out of classification ) but not enough to warrant a reclassification. Assignments must be permanent and assigned by the appropriate Division Director. The total time spent performing the new or additional responsibilities should be substantive and relate directly to the essential duties of the position. This criterion requires the Division Director to

provide an updated position description to ASI Human Resources that reflects the new or additional duties or quantifies the substantial and permanent workload increase. The incumbent may not be assigned the new duties before it is approved by and on file with ASI Human Resources. The IRP awarded will be 5%. A request for an increase above 5% may be considered with appropriate additional documentation regarding any extraordinary circumstances, and must be approved by the ASI executive director.

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#### 27.1.2 APPROVAL

An IRP form must be completed and signed by the immediate supervisor and the appropriate Division Director prior to submission to the human resources manager. The human resources manager will review the request and prepare a recommendation to the executive director.

Once the IRP is approved by the executive director, the human resources manager will prepare a Personnel Action Form and provide official written notification to the employee. No IRP shall be communicated or promised to an employee until final approval of the executive director has been secured.

An IRP for equity, retention, or increased workload will be effective on the first day of the month following the final approval. An IRP for new skills acquisition will be effective on the first day of the month following completion of the pre-approved training plan.

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#### 27.1.3 FUNDING

Funding for an IRP will come from the respective department's operating budget. Prior to authorizing an IRP, the immediate supervisor and appropriate Division Director must identify the source of funding and initiate the necessary transfer of funds.

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### 27.2 CLASSIFICATION & SKILL LEVEL CHANGES

All salary adjustments associated with a reclassification must meet the following requirements. These salary guidelines for classification and skill level changes do not apply to conversions that occur as the result of system-wide implementation of new classifications.

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#### 27.2.1 EFFECTIVE DATES

Generally, the effective date for a classification and skill level change will be the first of the month after the change is approved by the human resources manager.

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#### 27.2.2 SALARY ACTIONS

The effective date of the classification or skill level change will also be the effective date for the associated salary increase. ASI guidelines for salary increases associated with classification and skill level changes are outlined below. In no case, will the new salary exceed the maximum rate established for the classification.

##### 27.2.2.1 SALARY INCREASES UP TO 5%

Once the human resources manager has determined that a classification or skill level change is justified, a 5% increase (or the minimum of the new classification range) will be initiated via a Personnel Action Form and the approval of the appropriate Division Director.

##### 27.2.2.2 SALARY INCREASES 6%-8%

Requests for increases in this range require a written statement from the appropriate Division Director related to the need for an increase at this level based on the candidate's qualifications or specific internal or external comparability factors. The human resources manager will review the request and provide their recommendation to the ASI executive director on the advisability of the proposed salary increase.

#### 27.2.2.3 SALARY INCREASES IN EXCESS OF GUIDELINES NOTED ABOVE

Under rare circumstances, a manager might recommend a salary increase in excess of the guidelines. In such a case, the manager must provide a detailed rationale related to the exceptional nature of the situation. The rationale must outline the organizational necessity, relevant internal comparisons, relevant external comparisons and market data, and verification of the exceptional skills and abilities of the candidate. The human resources manager will review the request and provide their recommendation to the executive director on the advisability of the proposed salary increase.

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### 27.3 COST OF LIVING ADJUSTMENTS

A cost of living adjustment is a periodic increase made to all current salaries in an effort to offset the effects of external economic factors, such as inflation. The percentage of cost of living adjustment to be made, if any, will be determined annually by the ASI Board of Directors. If approved, the same percentage increase will be applied to the current rate of all salaried positions currently occupied, including management personnel.

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### 27.4 MERIT SALARY ADJUSTMENTS

Merit salary adjustments (MSA's) are granted for meritorious job performance. They are not awarded for length of service, nor as a means of keeping pace with external economic factors (e.g. cost of living). MSA's are only warranted in situations where an employee's overall job performance meets or exceeds the performance standards of the position.

Unless an employee's current salary has been "Red Circled," he or she is eligible for a merit salary adjustment (MSA) of no more than 10% after successful completion of the introductory period. Employees are eligible for MSA's until the top of their salary range is reached.

The total amount of all merit increases awarded in a given fiscal year must fall within funding levels authorized by the ASI Board of Directors during the annual budget approval process. This funding level is usually expressed as a percentage of ASI's total payroll budget.

MSA's will only be granted upon completion of the annual Performance Appraisal process. Upon completion, the Performance Evaluation form must be submitted to the appropriate director for review. The director will determine the percentage of merit increase an employee should receive based on his or her evaluation score, the scores of other employees evaluated, and the amount of funds available. All Performance Evaluations must be completed and submitted by July 31.

Requests for MSA's must be submitted on a Personnel Action Form. The Human Resources Office will not process any merit salary adjustment unless it is accompanied by a completed Performance Evaluation form bearing the signatures of the employee, the immediate supervisor, and the appropriate Director. MSA's will reflect on the next regularly issued payroll check following receipt of the appropriate forms. All MSA's become effective on July 1.

The ASI Management Personnel Plan governs merit salary adjustments for managerial employees.



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## 28.0 COMPENSATION REDUCTIONS

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### 28.1 PAYROLL DEDUCTIONS

Automatic payroll deductions are made for Federal and State Income taxes, State Disability Insurance (SDI) and Social Security (FICA). If an employee is appointed to a salaried position that is equivalent to not less than one-half time employment, Public Employees' Retirement System (PERS) contribution is also deducted. Employees may authorize voluntary deductions for health insurance plans, authorized credit union shares, annuities, and loan payments.

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### 28.2 WAGE GARNISHMENT

A garnishment is a court order requiring the corporation to remit part of an employee's wages to a third party in payment of a just debt. ASI is required, by law, to recognize Abstracts of Judgment, Federal Notices of Levy, Court Orders of Assignment, and State Franchise Tax Board Levy Notices against employee wages and will accordingly deduct authorized amounts from an employee's paycheck.

ASI believes that employees are responsible for their own debts. Garnishments cause considerable paperwork and expense for ASI. Although ASI understands that a wage garnishment can happen to anyone, employees are strongly encouraged to resolve financial problems before this situation occurs.

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## 29.0 BENEFITS

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ASI shall offer its employees a comprehensive benefits program, including both mandated and discretionary benefits. The Human Resources Office is responsible for administering and updating the benefits program. Employees are responsible for selecting and using their benefits prudently, and in the most cost-effective manner.

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### 29.1 ELIGIBILITY FOR DISCRETIONARY BENEFITS

Unlike those benefits whose provision is mandated by law, discretionary benefits are those that are provided at the discretion of ASI. Currently, these include health insurances (medical, dental, and vision), life insurance, accidental death and dismemberment benefits and retirement benefits. With the exception of retirement benefits, full-time regular employees become eligible for enrollment in discretionary benefits on the first day of the month following one month of continuous employment. For purposes of determining eligibility, one month of continuous employment shall be defined as having worked eleven full days (88 hours) within one calendar month.

Retirement benefits are earned at the end of the month for any full calendar month in which an employee works. Specific eligibility requirements apply for post-retirement health benefits as outlined in Section 5.2.

Part-time, student and temporary employees are not eligible for discretionary benefits.

ASI reserves the right to modify, revoke, suspend, terminate, or change the discretionary benefits or post-retirement benefits, in whole or in part, at any time subject to notification requirements as mandated by federal law.

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### 29.2 HEALTH INSURANCE

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ASI shall make health insurance plans (medical, dental and vision) available to all regular, full-time employees. ASI shall contribute toward the cost of an employee's health insurance premiums. The employee's share of the insurance premiums must be paid through automatic payroll deduction.

Under certain conditions, employees and/or their eligible dependents may elect to continue certain health insurance coverages upon loss of eligibility. Employees and/or their eligible dependents can arrange for continuation of coverages during the exit interview or by contacting the Human Resources Office. Except for CalPERS medical insurance premiums, which are paid directly to the carrier, the employee and/or eligible dependent(s) must pay the full amount of the premiums, plus a 2% administrative fee, directly to the ASI Business Office prior to the first day of the month for which coverages are desired. Failure to do so will result in cancellation of the coverages.

For full-time employees hired before January 1, 2013, ASI provides two (2) post-retirement medical vesting plans and two post retirement dental insurance plans reduced to the cost of basic dental coverage provided by California State University, Long Beach. Plan eligibility is based on specific requirements determined by the employee's date of full-time employment, years of service, date of retirement, and any applicable crossover provisions between medical plans.

All matters regarding coverage and claims under health insurances provided by ASI are between the employee and the insurance carriers. ASI managers or supervisors as well as the Human Resources Office must not be contacted.

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### 29.3 LIFE INSURANCE

Upon receipt of due proof that a currently insured employee has died, the ASI-sponsored life insurance policy will provide a maximum lump sum payment to the employee's beneficiaries. The actual amount of the payment may vary depending upon the age of the employee at the time of death. This benefit is provided at no cost to employees. Limitations and exclusions apply. Employees must consult their Group Insurance Plan booklet for further information.

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### 29.4 ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE

The ASI-sponsored life insurance policy will provide lump sum benefits when it receives due proof that a currently insured employee has received an accidental bodily injury which, within 90 days, directly and independently results in any loss shown in the Table of Losses and Benefits in the Group Insurance Plan booklet. Limitations and exclusions apply. Employees must consult the booklet for further information.

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### 29.5 RETIREMENT

Regular, full-time employees of ASI become members of the Public Employees Retirement System (PERS) on the first day of the month following one month of continuous employment. For purposes of eligibility, one month of continuous service shall be defined as having worked eleven full days within one month. In addition to a contribution made by ASI, employees are required to contribute a percentage of their monthly salary as determined by the appropriate PERS contract. Employee contributions are paid through automatic payroll deduction.

Employee contributions, plus interest, may be refunded upon termination or, if the employee has at least five years of service credit, left on deposit for retirement allowance.

At least three months prior to the anticipated date of retirement, the employee should make an appointment with the Human Resources Office for assistance in applying for retirement benefits. Retirement income will be delayed if the employee does not provide PERS sufficient time to process the required documents. If the employee has unused sick leave when retiring, the unused leave will be credited as service as provided in the PERS contract in place at that time.

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#### 29.6 WORKERS COMPENSATION INSURANCE

All employees are covered by Worker's Compensation Insurance for injuries or illness arising out of, and during, the course of employment. Worker's Compensation Insurance includes complete medical care and temporary disability payments. Employees are allowed to supplement their temporary disability payments by use of accrued sick leave or vacation credits to the amount of their normal salary.

An employee who is permanently disabled may receive a settlement based on applicable Worker's Compensation Law. Benefits are payable to surviving dependents if death results from a work related injury. While absent on work-related disability leave, an employee shall continue to earn vacation and sick leave credits.

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#### 29.7 UNEMPLOYMENT INSURANCE

Employees whose employment is terminated may be eligible to receive unemployment insurance benefits. Unemployment claims are filed with the claimant's local Office of California Employment Development Department, which will determine eligibility for benefits.

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#### 29.8 DISABILITY INSURANCE

Disability insurance is payable when an employee cannot work because of sickness or injury not caused by the job, or when the employee is entitled to temporary Worker's Compensation at a rate less than the daily benefit amount. The amount of benefits paid to an employee depends upon the wages paid to the employee during a twelve-month base period.

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#### 29.9 TAX DEFERRED ANNUITIES

Full time employees are eligible for enrollment in a tax deferred annuity program by completing a Compensation Reduction Agreement. This permits the deferment of taxes on a portion of the employee's monthly income. It offers the dual benefits of reducing the amount of current taxable income and increasing the amount of income in a future period when expected earnings and the employee's tax bracket will be lower. Taxes on the annuity are paid at the time of withdrawal. Staff members are not permitted to counsel or advise in connection with this program. A list of currently authorized insurance companies may be obtained from the human resources manager.

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#### 29.10 EDUCATIONAL FEE ADVANCE

The Associated Students, Incorporated is committed to helping employees make the most of the educational opportunities available at CSULB. Accordingly, the Educational Fee Advance assists employees that aspire to higher levels of skills and professional competencies by providing partial fee advancements to regular, full-time employees who take courses at CSULB.

Fee reimbursement may be made for successful completion of courses that are either work-related or part of a Professional Development Plan. All advances and reimbursements made under this plan are subject to the availability of financial resources as determined by the division Director.

All classes attempted must be taken for grades or credit/no credit. Employees are not permitted to audit any classes taken through this program. In order to achieve a reasonable balance between regular work duties and the course load taken under this program, there is a limit of 12 units that may be advanced or reimbursed per fiscal year (July 1 through June 30). Additionally, employees are only eligible for this benefit following six months of employment with ASI

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#### 29.10.1 WORK-RELATED COURSES

Work-related courses are those that directly improve skills or enhance knowledge for performing duties in an employee's current position. An employee may also take courses to acquire new skills needed to perform newly assigned duties and responsibilities. Enrollment in work-related courses shall be voluntary. Work-related courses must also be taken for academic credit.

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#### 29.10.2 PROFESSIONAL DEVELOPMENT COURSES

Professional Development Courses are courses related to the completion of a Professional Development Plan. The Professional Development Plan is designed for employees seeking opportunities for promotion or transfer within the organization. It is specifically intended to assist the employee in selecting courses that directly relate to the duties and responsibilities of ASI job positions to which the employee aspires. The primary responsibility for filing a Professional Development Plan lies with the employee. The employee, their immediate supervisor, and division Director must forward a Professional Development Plan to the ASI human resources manager in order to qualify for benefits under this program. The human resources manager will review and approve or deny all requests related to the Professional Development Plan based on the stated criteria.

While job placements or promotions are not guaranteed as a result of completing a Professional Development Plan, an employee may be better prepared and more competitive for job vacancies as a result of having completed specific courses or a degree program.

Classes taken for professional development must be taken for academic credit.

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#### 29.10.3 CLASS ATTENDANCE

For courses taken under this program, employees may request approval to attend classes during their regular work hours provided such attendance does not interrupt or interfere with the operations of the employee's department or unit. Non-exempt employees who miss work hours as a result of class attendance must make up the missed time within the same day. Employees must have the approval of their immediate supervisor to attend classes during regular work hours.

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#### 29.10.4 REQUESTING A FEE ADVANCE

In order to qualify for a fee advance, an eligible employee must complete the "Request for Fee Advance Form." If the employee desires a fee advancement for professional development courses, a "Professional Development Plan" must be completed and on file with the ASI human resources manager. Applicable forms must be filed prior to the beginning of the semester in which courses will be taken. All fees paid to an employee are considered taxable income

under the law and will be taxed at the time of the advance. An employee may also elect to receive a fee reimbursement upon completion of course(s) and pay the appropriate income taxes at that time.

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#### 29.10.5 FEES COVERED

ASI will advance fees to the employee an amount not to exceed the following: State University or Tuition Fee, Associated Students Fee, and University Student Union Fee. Successful completion shall be defined as receiving a grade of "C" or higher or a "Pass" and shall be demonstrated by providing the Human Resources Office with a copy of the final report card. Failure to pass or complete the course(s) will result in making re-payment arrangements with the Human Resources Office through automatic payroll deduction. The payment schedule shall not exceed the term of six months. Employees participating in a repayment plan shall not be eligible for further fee advancements until the outstanding advance is paid in full.

Application for admittance to CSULB, as well as the Application Fee, are the responsibility of the employee. Application forms and instructions are available at Admissions and Records (BH-123)

## EMPLOYEE CONDUCT

### BACKGROUND AND PURPOSE

Whenever people are required to work together for any purpose, they need certain guidelines to govern their personal conduct and relations. The Associated Students, Incorporated (ASI) considers adherence to work rules to be an important responsibility. They are a necessary part of managing any organization so that employees are treated fairly and are able to work safely and effectively. The purpose of ASI's Policy on Employee Conduct is to:

- Encourage positive employee/employer relations by providing for the fair and consistent treatment of staff
- Ensure that all employees are aware of their obligations and the consequence of disregarding those obligations
- Ensure that employee misconduct is dealt with in a timely and appropriate manner

This policy is not intended to cover all aspects of employee conduct. In the absence of a written policy, the employee should ask their supervisor for guidance.

### POLICY STATEMENT

The ASI believes that the conduct of its staff is critical in establishing a positive image on- and off- campus and for setting a positive example for students. It is the policy of the Associated Students, Incorporated that all employees conduct themselves in a professional, courteous, and civil manner at all times and in all interactions. These rules apply to all employees, regardless of funding source, and to all volunteers.

Failure to uphold these standards at all times and in all situations may be grounds for disciplinary action. Repeated failure or unwillingness to conform to this code of conduct may be cited as a performance deficiency for which employee counseling may become necessary.

## 30.0 STAFF CODE OF CONDUCT

The following section articulates ASI's expectations regarding the behavior of its employees and volunteers. These expectations represent a standard of conduct to which all employees and volunteers should strive.

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### 30.1 ACCOUNTABILITY

ASI employees accept responsibility for their decisions, for the foreseeable consequences of their actions and inactions, and for setting an example for others.

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### 30.2 CIVILITY

ASI employees are characterized by their civility. Consistent with the university's policies, ASI employees are committed to creating and supporting a work environment in which a diverse population can learn, live, and work in an atmosphere of tolerance, civility, and respect for the rights and sensibilities of each individual. ASI staff members shall address problems and resolve conflicts in a civil and constructive manner.

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### 30.3 COLLABORATION

ASI employees are expected to create and maintain a work environment characterized by cooperation and contribution to the common good of the organization. Employees are expected to be helpful and supportive of each other. Employees should not publicly express sarcasm, ridicule, or cynicism regarding the programs, services, or operations of the ASI. Employees should refrain from engaging in negative gossip regarding any ASI department, unit, customer, or employee. Employees should recognize that risk taking, allowing others to make mistakes, and accepting errors as learning experiences are incumbent to the nature of employment with ASI.

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### 30.4 COMPETENCE

ASI employees are expected to earn and uphold reputations for professional competence, stay abreast of the latest developments in their respective industry areas, maintain proficiency in the latest methods and technologies, share relevant information with coworkers, cooperate with and accommodate those who want to learn more about their job functions, and welcome questions or inquiries from co-workers.

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### 30.5 CUSTOMER SERVICE

ASI employees are expected to emphasize the facilitation of ASI's mission over the regulation of its activities. Employees should exhibit a "can-do" attitude and stay focused on the customer's/students' need to accomplish a program, project, or activity. Employees should actively seek ways to reconcile customers' and students' needs and desires with any administrative or regulatory restrictions, facilitate each other's efforts to provide the best customer service possible, and offer assistance wherever it is needed, regardless of their respective job descriptions.

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### 30.6 MATURITY

ASI employees are expected to display emotional maturity; accept responsibility for their own actions, inactions, errors, and omissions; accept the special obligation of modeling emotional self-control in a student development environment; give and receive constructive criticism with openness and a positive attitude, understanding that there is always room for improvement; and refrain from behaviors that reflect negatively upon themselves or the organization.

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### 30.7 PROFESSIONALISM

ASI employees shall behave in a professional manner at all times; maintain organized work areas; pursue the highest standards of neatness, accuracy, and timeliness; produce work that meets the highest possible degree of quality; be courteous, pleasant, and considerate; conscientiously work at maintaining positive working relationships with other departments and personnel; and never engage in any workplace behavior that could possibly be misconstrued by others as mean-spirited, abusive, or unprofessional, regardless of the intent.

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### 30.8 RESPECT

ASI employees shall demonstrate respect of other people at all times; treat others as they want to be treated; respect people's differences and always be willing to learn the most effective way of serving them; be tactful, courteous, but forthright in their dealings with all people; and never refuse help to anyone unless it represents a threat to their health or safety.

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### 30.9 TRUSTWORTHINESS

ASI employees shall garner trust in the workplace by keeping their promises, fulfilling their commitments, and abiding by the letter and well as the intent of all agreements.

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## 31.0 WORKPLACE BEHAVIOR

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### 31.1 CONVERSATIONS

Non-work related conversations should be carried out discretely and should never interfere with service to customers. Loud conversations should be avoided. At no time is any staff member to discuss or make comments about a customer, a student, another staff member, or the corporation where such discussion or comments may be overheard by ASI stakeholders. When such discussion or comment is required, it should be done privately, away from and out of the hearing range of the public areas.

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### 31.2 DRUGS, ALCOHOL, AND CONTRABAND

ASI strictly prohibits the manufacture, distribution, dispensing, possession, use, and/or sale of a controlled substance, including any of the following items by any individuals while on ASI premises or while participating in ASI-related events of programs, both on or off campus:

- Illegal or unauthorized drugs (including excessive quantities of prescription or over-the-counter drugs) and any other chemical substances that may affect an individual's mood, senses, responses, motor functions or alter or affect a person's perception, performance, judgment, reactions or senses
- Prescription or over-the-counter drugs that may adversely influence performance or behavior when taken in prescribed quantities
- Drug-related paraphernalia

Unless specifically authorized by ASI, the carrying, use or possession of the following items is also prohibited while on ASI premises:

- Firearms, explosives, fireworks, or ammunition

- Alcohol or intoxicating beverages, with the exception of official ASI-sponsored events approved by the executive director or ASI President

In addition, ASI strictly prohibits employees and others working on ASI premises or ASI-related events from reporting to work or working under the influence of detectable levels of unauthorized or illegal drugs and/or alcoholic beverages.

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#### 31.2.1 MEDICATION

Any employee taking medication should consult a medical professional to determine whether the drug may affect their personal safety or ability to perform the essential functions of the job and should advise their supervisor of any job limitations. Upon notification of job limitations, ASI will make reasonable efforts to accommodate the limitation. The employee may be subject to provisions of the ASI's Leaves of Absence policy.

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#### 31.2.2 ON-THE-JOB DRUG USE, SALE, POSSESSION OR DISTRIBUTION

Any employee found to use, sell, possess or distribute any illegal or unauthorized drugs (including excessive quantities of prescription or over-the-counter drugs) while on ASI premises, performing ASI-related duties, or while operating any ASI equipment, is subject to disciplinary action, up to and including termination of employment. Any suspected illegal drug confiscated will be turned over to the appropriate law enforcement agency.

The moderate use of alcohol at ASI-approved meetings, with business meals, travel, entertainment, or in an appropriate social setting, is not prohibited by this policy.

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#### 31.2.3 LEAVING THE WORK SITE

ASI will arrange transportation for any employee who feels that they may be impaired from the use of drugs or alcohol.

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#### 31.2.4 CRIMINAL DRUG CONVICTION

It will be the responsibility of any ASI employee convicted of a criminal drug offense occurring either on or off ASI premises to notify the human resources manager in writing within five (5) calendar days of the conviction.

Appropriate action may be taken against any ASI employee convicted of a criminal drug offense which may include disciplinary action up to and including termination, and, or the requirement of satisfactory participation in a drug treatment program as deemed necessary by the human resources manager. In deciding what disciplinary action to take, ASI may take into consideration:

- The nature of the offense charged
- The safety requirements of the employee's present job assignment
- The employee's record with ASI
- The employee's statement of facts
- The disposition of the charge
- The impact of the offense on ASI and other relevant factors



ASI may take disciplinary action before and/or after final disposition of the charges.

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#### 31.2.5 LIMITATION

To the extent any federal, state or local law, rule or regulation limits or prohibits the application of any provision of this regulation, then to the minimum extent necessary and only for that geographical area, this policy is deemed to be amended to be in compliance.

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#### 31.2.6 ATOD PROGRAM

To further enhance ASI's effort, an Alcohol, Tobacco and Other Drugs (ATOD) program has been established by the university to inform employees of the dangers of drug and alcohol abuse, and the availability of drug counseling and rehabilitation programs. This program is designed to assist all campus employees. Any employee who desires further information should contact the ATOD Program.

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#### 31.3 EATING

Eating is not permitted in the customer service areas of ASI. Drinks are permitted as long as the drinks are secured against spills and office materials, furniture, and equipment are properly protected.

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#### 31.4 EMPLOYEE DATING

ASI has a policy prohibiting sexual harassment in the workplace. This policy applies to all employees of ASI, including supervisors and managers. To prevent harassment, some employers prohibit employees from dating, or entering into consensual romantic relationships with other employees. ASI does not maintain such prohibitions, provided:

- Both parties mutually and voluntarily consent to the relationship;
- The relationship does not affect judgment or performance of duties of involved employees; and
- The relationship does not negatively impact the work environment.
- Additionally, the following CSU Policy applies:

Pursuant to CSU Executive Order 1097, a full-time ASI employee shall not enter into a consensual relationship with a student or employee over whom that employee exercises direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority. In the event that such a relationship already exists, ASI shall reassign such authority to avoid violations of this policy.

During working hours and at work locations, employees are expected to refrain from intimate exchanges so that others are not distracted or offended. During non-working hours, such as lunches, breaks, and before and after work periods, employees are not precluded from having appropriate personal relationships at work locations as long as their conversations and behaviors could in no way be perceived as offensive or uncomfortable to a reasonable person. These provisions apply regardless of the sexual orientations of the parties involved.

Employees who allow personal relationships with coworkers to adversely affect the working environment will be subject to the appropriate provisions of ASI's employee conduct and counseling policies. Failure to modify behavior and observe appropriate standards of workplace conduct shall be viewed as a serious disciplinary matter.

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#### 31.4.1 DISCLOSURE OF RELATIONSHIPS

Supervisors, managers, and full-time employees in sensitive or influential positions must disclose the existence of any relationship with another co-worker that has progressed beyond a platonic friendship. Disclosure must be made to the immediate supervisor and to the human resources manager by completion of a Consensual Relationship Disclosure form. This disclosure will enable ASI to determine whether any conflict of interest exists because of the relative positions of the individuals involved.

Where problems or potential risks resulting from the relationship are identified, ASI will work with the parties involved to consider options for resolving the conflict. The initial solution will be to make sure that the parties involved no longer work together on matters where one is able to influence the other or take action for the other. In some cases, more extreme measures may be necessary such as transfer to other positions or departments.

Continued failure to work with ASI to resolve such a situation in a mutually agreeable fashion may ultimately be deemed insubordination and therefore serve as cause for termination. ASI's Employee Counseling Policy will be consulted to ensure consistency, however, before any such extreme measures are undertaken.

By signing the Consensual Relationship Disclosure, both parties to the relationship shall agree that they are both free to end the relationship at any time, and that upon termination of the relationship, not to allow the breakup to negatively impact the performance of their respective duties. Failure of either party to observe these provisions will result in disciplinary action up to and including termination.

Any employee who feels that they have been adversely affected by this policy, or who believes this policy is not being adhered to, should communicate that feeling to their immediate supervisor or the human resources manager. Disputes regarding the application of this policy will be resolved through ASI's Employee Complaint Review Procedure.

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#### 31.5 GRATUITIES, GIFTS AND PREMIUMS

In order to maintain a high standard of integrity, employees are not permitted to accept gratuities or gifts of any significant value from customers, visitors, or vendors. Any gifts or premiums resulting from purchases made for ASI shall become the property of ASI (refer to ASI's Policy on Business Ethics and Conduct). All employees in management-level positions shall annually complete a Conflict of Interest Form, to be recorded by the Human Resources Department.

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#### 31.6 PERSONAL CHECK CASHING

ASI does not provide check-cashing services. Employees are prohibited from cashing checks for customers or for other employees.

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#### 31.7 POLITICS

Federal and state laws prohibit an employee from using any official authority or influence to interfere with or to affect an election or nomination. No employee may legally coerce, command, or advise another employee or a customer to lend or contribute time, money, or anything else of value for political purposes (refer to ASI's Policy on Political Activities).

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## 31.8 RELEASE OF INFORMATION

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### 31.8.1 EMPLOYMENT VERIFICATION

All requests for employment verification must be directed to the Human Resources Office. No other manager, supervisor, or employee is authorized to release employment verifications for current or former employees.

ASI only provides an employee's name, position title, and dates of employment. Employee's wages may be verified if that information has already been provided to a prospective employer or agency. No other information will be given unless authorized in writing by the employee.

ASI will cooperate with requests from authorized law enforcement or local, state, or federal agencies conducting official investigations.

This rule is not intended to interfere with the ability of any unit manager or supervisor to issue letters of reference. Letters of reference, if so written, are voluntary and reflect the opinion of the individual author. Letters should be truthful. The corporation does not review nor accept responsibility for letters of reference.

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### 31.8.2 FINANCIAL INFORMATION

With the exception of items specified in ASI's Policy on Information Privacy and Security, the financial records of the Associated Students, Incorporated are considered public information. All public requests for such information should be forwarded to the executive director.

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### 31.8.3 PERSONNEL INFORMATION

No employee shall release any information on employee compensation, employee status, or any other personnel matter. All such requests shall be forwarded to Human Resources Department.

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### 31.8.4 CORPORATE DOCUMENTS

ASI's Policy on Transparency outlines public disclosure and inspection of corporate documents. All requests for the release or inspection of records shall be forwarded to the Office of the Executive Director.

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### 31.8.5 MEDIA RELATIONS

The Office of the Executive Director shall be responsible for all communication with campus or public media regarding financial and personnel information. No other employee may release such information for publication unless otherwise authorized.

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## 31.9 TELEPHONE CALLS

Employees shall keep all personal phone calls to a minimum. Friends and relatives should be discouraged from calling during work hours unless there is an emergency. Employees may make a personal long-distance call as long as it is approved by the employee's supervisor and as long as the employee reconciles the charge.

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## 31.10 WORKPLACE VIOLENCE

ASI is committed to providing a work environment that is as free as possible from intimidation, threats of violence, and acts of violence.

- Intimidation is defined as an intentional act toward another person, causing the other person to reasonably fear for his/her safety or the safety of others.
- A threat of violence is defined as an intentional act that threatens bodily harm to another person or damage to the property of another.
- An act of violence is defined as an intentional act that causes bodily harm, however slight, to another person or damage to the property of another.

Any acts or threatened acts of violence or intimidation will not be tolerated. Anyone engaging in such acts will be subject to disciplinary action, up to and including immediate termination, and may also be personally subject to other civil or criminal liabilities.

Violent behavior includes, but is not limited to:

- The actual or implied threat of harm to an individual, group or individuals, or relatives of those individuals.
- The possession on ASI or California State University, Long Beach ("university") property of a firearm or weapon of any kind (unless specifically authorized in writing by the executive director, in concert with the University Police Department), or the brandishing of any object which could reasonably be construed as a firearm or weapon. The term "property" shall include any ASI or university work site regardless of ownership, or any location where the individual is engaged in ASI or university business.
- Loud, angry, or disruptive behavior that is clearly not a part of the typical work environment, including:
  1. Unwelcome name-calling, obscene language, and other abusive behavior
  2. Intimidation through direct or veiled threats
  3. Throwing objects in the workplace regardless of the size or type of the object being thrown, or whether the person is the target of the thrown object
  4. Physically touching another person in an intimidating, malicious, or harassing manner, including such acts as hitting, slapping, poking, kicking, pinching, grabbing and pushing
  5. Physically intimidating others including such acts as obscene gestures, shouting, and fist shaking.
- Callous or intentional disregard for the physical safety or well-being of other(s).
- Willful destruction of ASI, university, customer, or employee property.
- Commission of a violent felony or misdemeanor on ASI or university property. The term "property" shall include any ASI or university work site regardless of ownership, or any location where the individual is engaged in ASI or university business.
- Any other conduct that a reasonable person would perceive as constituting a threat of violence.

This regulation shall apply to employees engaging in any violent behavior regardless of whether or not the behavior is exhibited during the employees' regular work schedule.

Any employee who is subjected to, witnesses or has knowledge of an action which could be perceived as a violent act, or has reason to believe that such actions may occur, must report it immediately to his or her supervisor, the human resources manager, or to the executive director. Employees may raise concerns and make reports without fear of reprisal.

ASI has formed a management team to implement and monitor policies dealing with the security of the workplace. This team consists of the executive director, the associate executive director, and the human resources manager. The team will utilize the services of the university's Faculty and Staff Assistance Program as needed.

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### 31.11 WORKPLACE AGGRESSION

ASI defines workplace aggression as "repeated inappropriate behavior, either direct or indirect, whether verbal, physical, or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment." Such behavior violates ASI's Code of Conduct, which clearly states that all employees will be treated with dignity and respect.

The purpose of this regulation is to communicate to all employees, including supervisors, managers, and executives that ASI will not in any instance tolerate workplace aggression. Employees found in violation of this policy will be disciplined, up to and including termination.

Workplace aggression may be intentional or unintentional. However, it must be noted that where an allegation of aggression is made, the intention of the alleged aggressor is irrelevant, and will not be given consideration when determining disciplinary action. As in sexual harassment, it is the effect of the behavior upon the individual which is important. ASI considers the following types of behavior examples of workplace aggression:

- Verbal Bullying: unwelcome slandering, ridiculing or maligning a person or his/her family; persistent name calling which is hurtful, insulting or humiliating; using a person as butt of jokes; abusive and offensive remarks.
- In addition, the following examples may constitute or contribute to evidence of aggression in the workplace:
  1. Persistent singling out of one person
  2. Shouting, raising voice at an individual in public and/or in private
  3. Using verbal or obscene gestures
  4. Not allowing the person to speak or express themselves
  5. Unwelcome personal insults and use of offensive nicknames
  6. Public humiliation in any form
  7. Constant criticism on matters unrelated or minimally related to the person's job performance or description
  8. Public reprimands
  9. Repeatedly accusing someone of errors which cannot be documented

10. Deliberately interfering with mail and other communications
11. Spreading rumors and gossip regarding individuals
12. Manipulating the ability of someone to do their work (e.g., over-loading, under-loading, withholding information, setting meaningless tasks, setting deadlines that cannot be met, giving deliberately ambiguous instructions)

Any employee or volunteer who believes that he or she has been a victim of workplace aggression is entitled to a fair and objective investigation of the complaint. Please refer to *Complaint Review Procedure* in the Employee Supervision chapter.

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## 32.0 WORK ENVIRONMENT

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### 32.1 CHILDREN AT WORK

Due to health and safety concerns, employees are prohibited from having minors (persons under the age of eighteen) visit their worksite during working hours, unless the following conditions exist:

- The minor's visit is the result of unforeseen, emergency circumstances beyond the control of the employee.
- The minor remains in the employee's office or work area under the employee's direct control and supervision.

Employees must first obtain the permission of their immediate supervisor before bringing minors into the workplace. Recurring visits may result in disciplinary action. In addition, employees will be held liable for the actions of their children during all times they are on ASI premises.

The presence of children in the workplace creates a distraction that can compromise an employee's ability to perform their duties. Employees are urged to make appropriate arrangements for dependent care and/or use their accrued leave in order to minimize incidents of child visitors.

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### 32.2 IDENTIFICATION CARDS

All employees are provided with a completed application for a CSULB Staff I.D. card on their first day of work. I.D. cards are picked up at the ID Card Services office located at the University Bookstore. Employees should keep the card with them at all times. To replace lost or damaged cards, employees must contact the human resources manager.

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### 32.3 KEYS

Supervisors shall initiate requests for keys needed by employees to perform their jobs. The employee is responsible for all keys issued to them. Lost keys must be reported immediately to the USU Maintenance Office, or to the immediate supervisor if employed at a location other than the University Student Union and Student Recreation & Wellness Center. Duplicates keys will be issued and/or locks changed as determined necessary, and a replacement fee will be charged. Recurring loss of keys by an employee may result in disciplinary action.

Upon termination of employment with the ASI, all keys issued must be returned. Return of keys will be documented on the employee's Property Clearance Form, which must be completed prior to release of the final paycheck.

Student employees who fail to return keys or fail to pay for lost keys in accordance with this policy will be referred to the Dean of Students for possible disciplinary action, which may include having a hold placed on the student's university records.

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#### 32.4 PARKING

Employees who want on-campus parking privileges are required to pay for on-campus parking via the Parking and Transportation Department. All parking and driving regulations are to be followed when on campus. Parking citations will be issued for infractions. Since citations are processed through Long Beach Municipal Court, unpaid citations could result in serious legal consequences.

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#### 32.5 PERSONAL POSSESSIONS

ASI does not assume any responsibility for employees' personal possession while on ASI premises and personal possessions are not covered by ASI's property insurance. Personal insurance for these items is the responsibility of the employee.

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#### 32.6 SMOKING

California State University, Long Beach is declared a "smoke-free" campus in accordance with the Governor's Executive Order D6287, Government Code Section 19262. Smoking is prohibited in all indoor areas and within 20 feet of any entry or exterior areas (e.g. patios, balcony, or courtyard). Any problems should be brought to the attention of a supervisor or the appropriate Division Director.

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#### 33.0 EMPLOYEE MISCONDUCT

Violation of the rules identified below may call for some form of disciplinary action. In some cases, the action may result in either verbal or written warnings, suspension, or termination. In serious cases or cases where an employee has previously violated the same rules or is not performing at an acceptable level, the employee may be subject to immediate termination. The types of misconduct identified below are merely examples of conduct that may lead to disciplinary action. They are not an exhaustive list of all types of conduct that can result in disciplinary action, up to and including termination. All instances of employee misconduct must be documented using the Employee Counseling Action form.

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#### 33.1 MISCONDUCT RESULTING IN IMMEDIATE TERMINATION

Violations of the following types, because of their severity, may result in immediate termination without a warning:

1. Obtaining employment based on false or misleading information.
2. Falsifying information or making material omissions in any work-related documents or records.
3. Intentional destruction or damage to ASI property or supplies, or to the property of another employee, a customer, or a visitor.

4. Theft or inappropriate removal from ASI premises or unauthorized possession of property that belongs to the ASI, another employee, or a customer or visitor.
5. Bringing or possessing firearms, weapons, or any other hazardous or dangerous devices on ASI or University property at any time without proper authorization
6. Absence of three or more days without authorization
7. Possession, distribution, sale or use of alcohol or any unlawful drug while on duty or while on ASI premises
8. Reporting to work or operating an ASI-owned vehicle under the influence of alcohol or any unlawful drug
9. Physical or mental unfitness to perform the essential functions of the position occupied
10. Conviction of a felony
11. Conviction of any misdemeanor involving conduct that is inherently base, vile, depraved, or contrary to community standards of morality
12. Sexual harassment
13. Unauthorized access to, possession, dissemination, or use of information determined to be confidential by the ASI
14. Fighting or provoking a fight, whether verbal or physical, on ASI time or premises
15. Harassing, threatening, or intimidating any other employee where such action creates a hostile work environment or causes the other person to reasonably fear for his or her safety, the safety of others, or the safety of their property

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### 33.2 MISCONDUCT RESULTING IN EMPLOYEE COUNSELING

Infractions of the following type may, depending upon the severity of the offense and all pertinent circumstances, result in employee counseling, including a verbal or written warning, suspension, or discharge:

1. Unsatisfactory job performance
2. Insubordination, including refusal, without proper justification, to do assigned work or to produce work in the manner described by the employee's supervisor or the supervisor's superior
3. Non-compliance or disregard of any established ASI policy, including safety rules
4. Frequent or excessive tardiness or absence from work, or from an employee's work area
5. Falsifying or destroying any timekeeping record
6. Leaving ASI premises or one's job during working hours without notification or without obtaining permission
7. Engaging in any action that endangers others, ASI property, or disrupts work



8. Smoking in restricted areas, or where no smoking signs are posted
9. Using racial, ethnic, sexist, or homophobic remarks or gestures while on duty or while on ASI premises
10. Failing to abide by set standards for lunch and break periods
11. Working unauthorized overtime
12. Circumventing or failing to follow without proper justification established procedures for resolving employee grievances (refer to "Employee Complaint Review Procedure")

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### 33.3 EMPLOYEE COUNSELING PROCESS

Employee counseling may be initiated for various reasons, including, but not limited to, violations of work rules or poor job performance. The severity of the action generally depends on the nature of the offense and an employee's record, and may range from verbal counseling to immediate separation. In all cases, the supervisor shall document the counseling using the Employee Counseling Action form. The Employee Counseling Action form shall inform the employee of the possible consequences, including final written warning, suspension, and/or discharge, should additional violations or performance problems occur. The form must be reviewed with the Human Resources Department before conducting the counseling session and must be signed by the Human Resources Administrator, the employee's supervisor, the supervisor's manager, and the employee, or a witness in those cases where the employee refuses to sign.

The normal employee counseling procedure is outlined in the *Employee Supervision* chapter.

## EMPLOYEE SUPERVISION

### BACKGROUND AND PURPOSE

Supervisors represent an important link between management and non-management employees. Their role is to communicate to the employees under their supervision the goals and policies of management and to communicate to management the attitudes, suggestions, and complaints of their employees. The Associated Students, Incorporated (ASI) is committed to ensuring that all employees are properly supervised and that all supervisors are properly trained to carry out this very important function. The Policy on Employee Supervision aims to achieve this objective by implementing a formal supervision system. It sets out specific procedures and standards to ensure that employees of the ASI are properly supervised and their performance is regularly appraised.

### POLICY STATEMENT

It is the policy of the ASI that the work of all employees shall be assigned, directed, and reviewed by supervisory personnel. Except in the most unusual circumstances, each employee shall have only one supervisor to whom he or she is directly responsible. It shall be the responsibility of each supervisor to ensure that the approved purpose and goals for their respective departments are accomplished and policies regarding personnel are implemented and observed.

### 34.0 PLANNING, ASSIGNING AND DIRECTING WORK

It is the responsibility of each supervisor to ensure that the approved purpose and goals for their respective departments are accomplished. To this end, supervisors shall be held accountable for the following:

- Establishing departmental operating procedures within the framework of the organization's mission, bylaws, and policies
- Defining what constitutes satisfactory performance for each major job function of every position under their supervision
- Recommending changes to staffing levels and structures in departments under their supervision
- Maintaining neat and orderly work areas
- Ensuring that applicable policies, rules, and regulations are observed by employees under their supervision
- Keeping employees informed of issues relating to their work assignments and work progress
- Ensuring that employees are aware of the "peaks and valleys" related to the work load in their unit, advising them of heavy work load periods when approval of requests for time off will be limited, and to the extent possible, for identifying periods when overtime assignments will likely be required

With respect to planning, assigning, and directing work, this policy grants to each supervisor the following basic rights in order to carry out their responsibilities:

- The right to claim the services of their subordinates from the beginning of their shifts until the end of their shifts and during other times when overtime services might be warranted
- The right to assign, direct and control the performance of work by employees under their supervision consistent with job descriptions and position classifications
- The right to hold subordinates accountable for the satisfactory completion of work assigned, and
- The right to evaluate how effectively such subordinate performs

### 35.0 INTERVIEWING AND HIRING

Each supervisor shall be involved in the interviewing and selection of the staff they will supervise. In the case of part-time and student assistant employees, the supervisor shall be responsible for final selection. For full-time employees, the decision to extend an offer of employment must receive prior approval from the executive director or their designee.

As part of their formal training, each supervisor shall undergo training in conducting employment interviews. This training includes information on what constitutes appropriate interview questions and behavior, and information on how to meet equal opportunity employment standards. Supervisors may only participate in the interview process if they have completed this training.

### 36.0 ORIENTATION

Supervisors are responsible for ensuring that all new-hire paperwork is completed and submitted on a timely basis. The following forms must be completed and/or submitted to the Human Resources Department no later than three business days after an employee commences work:

- Original Application for Employment form or Letter of Temporary Appointment (for temporary employees)
- Confidential Data Statement form
- Personnel Action Form (PAF)

In addition, all employees should be provided with copies of any departmental training materials, including Desk Manuals, Operation Manuals, etc in order to ensure that they receive adequate notification of departmental policies and procedures:

Supervisors may be subject to disciplinary action for failure to submit new-hire forms and provide materials to employees in the manner prescribed above.

### 37.0 TRAINING

Supervisors shall bear primary responsibility for the training of all employees under their supervision. They need not perform this training personally, but may rely upon other employees in the organization or other professional training resources. At a minimum, training must include job-specific instruction in the essential duties and responsibilities of the position to which the employee is assigned and training in how to perform the job safely.

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#### 37.1 JOB SPECIFIC TRAINING

Although employees are expected to already possess the requisite knowledge, skills and abilities for performing essential job functions, some training is initially necessary in order to assist the employee in carrying out their duties in conformance with applicable guidelines, policies, and procedures. Part of this training will involve the establishment of Performance Standards, utilizing the Performance Planning and Appraisal form. For new hires, Performance Planning must take place within 90 days of employment; for existing employees, Performance Planning must take place within the last 90 days of each fiscal year. Please consult the Policy on Performance Management for a complete description of the supervisor's responsibilities for performance management.

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#### 37.2 SAFETY TRAINING

Supervisors shall be responsible for assuring that subordinates know how to do their work safely and have the materials, tools, and other means necessary to do so. This includes training every employee in the safe methods for performing their job. Employees are to be trained in the safe handling of equipment, machine operation, hazardous chemicals, and emergency evacuation procedures as well as general safety rules, items which are recorded in ASI's Safety Sign In Sheets. Employees must also be informed of their right to report unsafe working conditions without fear of reprisal. This training shall be documented by completing an Employee Safety Overview (Form A) for every new employee, which is an element of the ASI's Injury and Illness Prevention Program.

### 38.0 CONTROLLING ATTENDANCE

Supervisors shall be responsible for maintaining adequate control over the attendance of subordinates to verify that subordinates have completed the required number of hours on duty each day, or have been approved for and recorded charges to appropriate leave accruals. This includes controlling absenteeism and tardiness and approving requests for time off. Supervisors must become familiar with the attendance rules that affect the employees they supervise and apply these rules in a fair and consistent manner.

In order to carry out these responsibilities, this policy provides each supervisor the following rights:

- The right to hold employees fully accountable for all the time that they are on duty. No employee has the right to leave their assigned work without the specific approval of their supervisor unless a situation exists that places their health or safety in immediate jeopardy
- The right to approve and disapprove requests for time off in accordance with both organizational and employee needs
- The right to schedule vacations and lunch and rest breaks, and
- The right to verify employee time records and approve overtime when necessary

### 39.0 APPRAISING PERFORMANCE

Performance Appraisal is an on-going process in which the supervisor "coaches" subordinate employees on how well they are meeting performance expectations. The process begins with the development of a performance plan that defines acceptable performance for the major job requirements of the employee's position. Throughout the evaluation period, the supervisor should advise subordinates how well they are performing and coach those who are not meeting expectations on how they may improve.

At the end of the evaluation period, the supervisor must complete the appraisal section of the Performance Planning and Appraisal form and determine the appropriate performance rating for the employee. Once the appropriate manager has approved the final rating, the supervisor must meet with the employee to share this information and discuss how well they have performed in each major job function, including discussion of particular strengths or weaknesses. Please refer to the Policy on Performance Management for more information.

### 40.0 EMPLOYEE COUNSELING

Before taking a formal counseling action, a supervisor may first attempt to correct the offending behavior by holding an Employee Conference. An Employee Conference is a private meeting between a supervisor or other administrative officer and an employee at which the employee's performance deficiencies are discussed. The motivation for such a session is to improve the employee's performance, eliminate the performance deficiencies, and/or make certain that the employee understands work rules and expectations. The emphasis in this conference is proactive. It is not a form of discipline and is intended to preclude the need for future counseling action. The session may mention performance problems and deficiencies but should not dwell on them. Instead, the conference should focus on future performance expectations and the special efforts the supervisor will be taking to best ensure employee accountability.

A Conference Memorandum is a written follow-up to an employee following a face-to-face conference session which confirms the reason for the conference, a summary of the effect of the employee's misconduct, a summary of the employee's response to the conference, and a statement of the corrective actions expected. Conference memoranda normally should not be written without the actual face-to-face conference session that allows the subordinate to respond and describe any special problems in their life or in the work environment that might be contributing to their performance. A copy of the Conference Memorandum shall be retained in the employee's personnel file in the section maintained for performance reviews.

The Employee Conference approach is not permitted in those cases where the employee's behavior meets the definition of misconduct resulting in immediate discharge. Please refer to Regulation 4.1 of the Policy on Employee Conduct,

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#### 40.1 EMPLOYEE COUNSELING PROCESS

Employee counseling may be initiated for various reasons, including, but not limited to, violations of work rules or poor job performance. The severity of the action generally depends on the nature of the offense and an employee's record, and may range from verbal counseling to immediate separation. In all cases, the supervisor shall document the counseling using the Employee Counseling Action form. The Employee Counseling Action form shall inform the employee of the possible consequences, including final written warning, suspension and/or discharge, should additional violations or performance problems occur. The form must be reviewed with the Human Resources Office before conducting the counseling session and must be signed by the Human Resources Administrator, the employee's supervisor, the supervisor's manager, and the employee, or a witness in those cases where the employee refuses to sign.

The normal employee counseling procedure consists of:

- Level 1. Verbal counseling.
- Level 2. First written warning.
- Level 3. Final written warning.
- Level 4. Suspension.
- Level 5. Discharge.

Any or all of these steps may be utilized, depending upon individual circumstances and the nature of the infraction. In addition, a higher-level warning need not pertain to the same or similar offense for which a lower level warning was given. Moreover, exceptions or deviations from the normal procedure may occur whenever ASI management deems appropriate.

Employee counseling must be timely and must occur within 30 calendar days of the discovery of the incident requiring the counseling action.

Probationary and temporary employees may be terminated without advance notice for any violation of work rules or for poor job performance.

#### 41.0 ADDRESSING COMPLAINTS AND RESOLVING PROBLEMS

ASI has established procedures to allow employees to voice any work related concerns they might have without fear of retaliation. These procedures provide an avenue for the identification and resolution of differences between an employee and the corporation regarding wages, hours, or working conditions. These procedures may be used when an employee believes that a violation, misapplication, or misinterpretation of the policies, regulations, or work rules of the ASI have personally affected them in an adverse way. These guidelines may not be used to dispute the actual written policies, regulations, or work rules or to dispute the final decision resulting from this review process. Furthermore, the following matters shall not be subject to review under these procedures:

- Employee Counseling Actions (except as noted above)
- Promotions and/or Transfers

- Performance Evaluations
- Temporary Assignments
- Reductions in Force (layoffs)

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#### 41.1 COMPLAINT REVIEW PROCEDURE

The following steps are applicable to all employees for the resolution of a complaint:

##### Level 1:

- The employee shall request a meeting with their immediate supervisor to bring the complaint to the supervisor's attention. Exceptions to this step are indicated in Section 8.2.
- The supervisor shall receive the complaint, ascertain the facts, and research the relevant policies, regulations and work rules. The supervisor shall report the findings to the employee within seven (7) calendar days.
- The supervisor shall attempt an informal resolution of the complaint within the next seven (7) calendar days. At this stage, either the employee or the supervisor may suggest mediation as a means for resolving disputes. Either the ASI Human Resources Department or the University Ombuds may be called upon to mediate. Participation in mediation is voluntary.

##### Level 2:

- If the complaint is not resolved at the conclusion of Level 1, an employee may present their complaint to the appropriate division director.
- The division director shall ensure that Step 1 has been followed, or else waived as provided below in Section 8.2.
- The division director will take the matter under consideration and attempt to resolve or otherwise answer the complaint within fourteen (14) calendar days.

##### Level 3:

- If the complaint is still not resolved at the conclusion of Level 2, an employee may file a written complaint with the Human Resources Department.
- The Human Resources Department, in consultation with the Executive Director, shall investigate and subsequently respond to the complaint within thirty (30) calendar days of receipt of the complaint.

Employees who seek resolution of complaints by using these procedures shall not be subjected to discrimination or retaliation or be penalized in any way. However, circumventing or failing to follow these procedures without proper justification may result in employee counseling.

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#### 41.2 EXCEPTIONS TO PROCESS

All employee complaints should be handled at the lowest level possible. However, the following exceptions are recognized as instances where an employee may file a complaint with the human resources manager without first meeting with their immediate supervisor:

- If the employee suspects or has proof that a federal or state law or a Trustees' or campus regulation is being violated or is about to be violated
- If a safety hazard exists that threatens the health of an employee or customer
- If the grievance directly involves the immediate supervisor and the employee can reasonably demonstrate that the department head may not be able to deal objectively with the situation

The human resources manager shall determine if adequate reason exists to justify circumventing the normal process.

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#### 41.3 CONFIDENTIALITY OF PROCESS

ASI regards all statements, documents, and other aspects of a complaint review proceeding to be confidential information. Under current policy, unauthorized dissemination of information determined by ASI to be confidential may constitute grounds for immediate dismissal.

#### 42.0 SUPERVISOR'S SAFETY RESPONSIBILITIES

- ASI maintains a Safety Committee, whose deliberations and actions shall be shared with all supervisory personnel. Supervisors shall additionally be responsible for safeguarding the well being of the employees in their charge. In addition to the Safety Training responsibilities identified above, supervisors shall be held accountable for the following: Knowing the rules of safety that apply to the work supervised, and when necessary, obtaining expert safety advice
- Complying with applicable federal and state laws and ASI regulations concerning employee safety
- Demonstrating safety in one's own work habits and personal conduct
- Encouraging employees to discuss the hazards of their work
- Making sure employees understand and abide by all applicable safety regulations
- Ensuring that employees are aware they have the right to report unsafe working conditions without fear of reprisal
- Inspecting the work environment regularly to aid in the identification of hazards before they occur, or risks that may arise from changes in equipment or methods
- Motivating employees to work safely by such methods as periodic safety meetings, use of educational materials, and staff recognition
- Reporting, investigating, and analyzing every accident occurring in a department under their supervision
- Effecting the remediation or abatement of the cause of any accident occurring within departments under their supervision

- Ensuring that employees report all work-related illnesses or injuries, regardless of how minor
- Cooperating with others both within and external to ASI that are actively concerned with preventing accidents
- Taking the following steps whenever unsafe methods or unsafe working conditions are noted:
  - Stopping the unsafe method or working condition
  - Instructing the employee involved in an unsafe method as to the correct method and initiating disciplinary action if warranted
  - Warning others of unsafe conditions and prohibiting others from working until the unsafe condition is corrected
  - Keeping a record of unsafe working conditions noted, including date discovered, name of manager notified, and date repaired

## PERFORMANCE MANAGEMENT

### BACKGROUND AND PURPOSE

The purpose of the Policy on Performance Management is to enhance communication between supervisors and employees regarding employee performance and to link employee performance to the accomplishment of the ASI's organizational objectives. Performance Management involves giving staff timely, relevant, and effective feedback in an effort to promote job satisfaction, increase competence, and develop staff in their chosen profession. By adopting a Performance Management system, the ASI seeks to improve organizational performance by developing the effectiveness of its employees, both as individuals and as teams. The policy strives to encourage individual responsibility and work improvement, and seeks to cultivate partnerships built on trust, open communication, and mutual respect. To this end, the system seeks to ensure that all employees:

- Are aware of what is expected of them,
- Are provided with continuous feedback about their performance, and
- Are provided with opportunities for education, training, and development

### POLICY STATEMENT

This policy establishes a performance management system for ASI. It sets forth the performance management policies and procedures for the preparation, processing, and use of the performance appraisal system, and the linking of the performance appraisal to other human resources decisions.

It is the policy of the ASI that the management of each division, department, and unit of the corporation adheres to the Performance Management system as described herein. This system is based on the importance of managing each individual's work and maintaining continuous communication between employees and their supervisors.

This policy shall apply to all employees not covered by the provisions of the Student Assistant Classification and Compensation system.

### 43.0 TIMING AND FREQUENCY OF APPRAISALS



All employees covered under this policy shall be evaluated at six months, twelve months, and annually thereafter. The annual evaluation period will normally cover a 12-month period. It will begin the first day of July and end the last day of June of each year. The first scheduled annual evaluation may cover a period of less than or more than 12 months, but will cover at least 120 days under an approved performance plan.

An evaluation period may be extended up to an additional 120 days, when special circumstances exist. Situations in which an extension is appropriate are:

1. To meet the 120-day minimum evaluation period
2. To provide a new supervisor an opportunity to observe an employee's performance against current requirements when information concerning the employee's past performance during the evaluation period is not available
3. To evaluate an employee whose overall performance has been less than "Meets Standard," due to a personal problem (e.g., illness, alcoholism, drug abuse, or other debilitating condition) and recent performance shows evidence of improvement
4. To provide an employee whose performance is rated less than "Meets Standard" an opportunity to improve

#### 44.0 PERFORMANCE PLANNING

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##### 44.1 POSITION DESCRIPTION REVIEW

Before the development of a Performance Plan, the supervisor and employee shall meet to review the employee's current position description. The purpose of this review is ensure that the position description is an accurate representation of the essential duties and responsibilities of the position, as well as its minimum qualifications, physical demands and work environment. If there are any inaccuracies, the supervisor must initiate the proper changes to the position description. Revisions that are simply narrative in nature can be made by the mutual consent of the employee and supervisor with the approval of the human resources manager. Changes that are more significant require the approval of the executive director. Because of this, supervisors are advised to begin their review of position descriptions well before the beginning of the new evaluation period.

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##### 44.2 PERFORMANCE PLAN

Each employee shall have a performance plan established on an annual basis at the beginning of each fiscal year, utilizing the Performance Planning and Appraisal form. The performance plan must specify the goals to be accomplished or the standard of performance to be achieved for each major job requirement, as well as any special one-time projects and/or goals. The performance plan shall be based on the employee's approved position description. Performance standards must be derived from the essential duties and responsibilities contained in the position description. A performance plan will be prepared for each employee assigned permanently to a position for 120 days or more.

Performance plans shall normally be completed within the last 90 days of the fiscal year. The performance plan should be updated as needed throughout the performance period and will be the basis for performance appraisal during the evaluation period.

When new supervisors are assigned, they shall review and discuss performance plans with subordinate employees as soon as possible, but no later than 30 days after assignment. Similarly, supervisors shall review and discuss performance plans with new employees within 30 days after the first day of employment.

After the performance plan is completed at the beginning of the cycle, it shall be signed and dated by the employee, the supervisor, and the supervisor's manager. If changes are made on the performance plan during the cycle, the employee, the supervisor, and the manager must initial and date the changes before it is effective. In both of these cases, Human Resources Department retains the original and the employee must receive a copy.

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#### 44.2.1 PERFORMANCE STANDARDS

A major factor in the success of the performance management system is the development of quality performance standards that help facilitate the achievement of ASI's mission and organizational objectives. These performance standards must describe the supervisor's expectations and define acceptable performance of major job requirements described in the ASI-approved position description. The performance standards should be meaningful, challenging, and attainable, and must be within the employee's control. They must be set at a level that is challenging enough to meet the needs of the position and to motivate the employee toward excellence, and reasonable enough to be met by a competent employee.

In the performance plan, the supervisor shall document the performance standard at the "Meets Standard" level for each major job requirement. A performance standard must have one or more indicators for measuring results, such as quality, quantity, timeliness, cost, or manner of performance (how). In order to be as fair as possible to employees and to ensure that performance plans are defensible, supervisors should also be able to describe performance at the "Exceeds Standard" and "Marginal Performance" levels.

The supervisor's manager is responsible for ensuring that expectations for similar jobs across units reporting to them are consistent and equitable. To ensure consistency, management should make an effort to establish standard work plans for employees within the same job classification except for those elements of the job that vary.

Because safety and human resource management play such important roles in a supervisor's job, "Supervisory Responsibilities" shall be included as major performance factors in all supervisors' performance plans.

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#### 44.3 SUPPLEMENTAL PERFORMANCE DIMENSIONS

Additional goals (e.g., special projects, desired training, additional education, etc.), which have been discussed and agreed to by the supervisor and employee, may become part of the performance plan.

#### 45.0 PERFORMANCE APPRAISAL PROCESS

Performance appraisal is a continuing process during which supervisors assess the work of individual employees against established performance standards for the major job requirements of the position. An employee's job performance will be appraised only by comparing actual performance with their individual performance plan for the current evaluation period. The employee must have at least 120 days (the minimum rating period) between receipt of the performance plan and the end of the rating period to meet performance standards.

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#### 45.1 PERFORMANCE REVIEW SESSIONS

Supervisors shall periodically and informally appraise overall performance and keep employees informed of their progress toward meeting their performance standards. Performance review discussions should be held as often as needed to provide supervisors with pertinent information to assess work progress and to help employees improve their performance. Periodic appraisal sessions with employees will ensure timely identification of their strengths and weaknesses and help to avoid unexpected overall ratings at the end of the evaluation period.

Supervisors must use memoranda or notes to document dates of observations, conferences, or assistance provided to employees related to performance. This information shall be maintained in a confidential manner to avoid inappropriate access.

At the time a supervisor identifies performance which suggests that an employee will not meet the performance standards for a major job requirement, and when previous counseling or assistance has not helped, the supervisor will verbally inform the employee of their performance deficiencies and document the counseling. Timely counseling sessions should be held to identify corrective actions and to assist the employee to improve performance. If an employee indicates that their performance is affected by a personal problem or is due to alcohol or drug abuse, the supervisor should refer the employee to the Human Resources Office to seek assistance through the Faculty and Staff Assistance Program and/or through other services available in the community. If the employee's performance deficiencies continue despite referrals to assistance programs or other resources, the employee may be subject to disciplinary action up to and including termination.

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#### 46.0 PERFORMANCE APPRAISAL RESPONSIBILITIES

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##### 46.1 HUMAN RESOURCES DEPARTMENT

The Human Resources Department shall send a notification by the 10<sup>th</sup> workday of each month to all supervisors regarding the probationary performance appraisals that are due, if any. The notification will give names and due dates. Human Resources will maintain a follow-up system to assure that annual and probationary appraisals are received on time: for annual appraisals, within the last 90 days of the fiscal year, and for probationary appraisals, within 30 days before the introductory period ends.

If a rating supervisor fails to complete a performance rating when due, the Human Resources Department will conduct a follow-up contact. If the rating continues to be delinquent, Human Resources will escalate the issue to the next higher level of supervision for action. If the rating remains delinquent, the Human Resources Department will notify the executive director.

When differences between a rating supervisor and the employee being rated cannot be resolved at the next higher level of supervision, the human resources manager shall be consulted.

The Human Resources Department shall be responsible for ensuring that copies of all annual and probationary appraisals, along with the corresponding Performance Plan are retained in the respective employee's personnel file. All information maintained by the Human Resources Department shall remain confidential.

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##### 46.2 SUPERVISORS' RESPONSIBILITIES

After the evaluation period ends, the rating supervisor shall complete the Performance Planning and Appraisal form. The supervisor will measure performance over the entire evaluation period against the employee's performance plan for the same period.

Rating supervisors may solicit feedback from other supervisors and staff members who may have special knowledge of the performance of an employee during the evaluation period. This information will be documented and will be discussed with the employee when the written appraisal is completed.

In those areas where either supervisor or employees rotate through separate shifts so that the supervisory and employee relationship changes throughout the rating period, the person functioning as the supervisor at the time the appraisal is due will become the rating supervisor and will coordinate with the other supervisor(s) involved, requesting information needed to make a fair and objective appraisal. This information will be documented and will be discussed with the employee when the written appraisal is completed.

When preparing performance ratings, the supervisor will assign one of five element ratings and an associated numerical value: "Below Standard = 1," "Marginal Performance = 2," "Meets Standard = 3," "Exceeds Standard = 4", "Exceptional Performance = 5." An employee is entitled to the element rating that most accurately describes their performance compared to the performance standard for the element. Supervisors may assign scores that fall between the above values, for instance awarding a 3.5 for someone whose performance falls between "Meets Standards" and "Exceed Standards".

When an employee is rated "Below Standard" for one or more elements, the employee must take action to improve their performance, with the supervisor's assistance. Such assistance may include, but is not limited to, formal training, on-the-job training, counseling, and/or closer supervision. An employee, other than one serving a probationary period, whose performance on one or more major job responsibilities is rated "Below Standard" must be given a written warning. The notice shall state that performance must improve to the "Meets Standard" level in order for the employee to remain in the position. The employee must be given a reasonable opportunity to improve.

Performance ratings must be reviewed and approved by the supervisor's manager. The rating supervisor will discuss the proposed performance evaluation with the manager before discussion with the employee. Mutual agreement among rating supervisors will be sought, but the manager has final authority.

**47.0 APPRAISAL INTERVIEW**

After approval of the performance appraisal by the supervisor's manager, the performance appraisal and its overall rating should be reviewed and discussed with the employee. Upon completion of the appraisal interview, the employee should sign and date the performance appraisal document. The employee's signature does not necessarily indicate agreement with the overall rating. If an employee refuses to sign and date an overall rating, the supervisor will write, "declined to sign" and enter the date that the employee was notified officially of the overall rating level assigned.

**48.0 OVERALL RATING LEVELS**

One of five overall rating levels, based on the mathematical average of element ratings, will be used to describe the quality of overall job performance. The appropriate overall rating level will be determined utilizing the following scale:

Mean Score	Rating	Definition
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4.50+	Exceptional Performance	Employee consistently exceeds performance standards for the position
3.50 – 4.49	Exceeds Standard	Employee meets and often exceeds the performance standards for the position
2.50 – 3.49	Meets Standard	Employee satisfactorily fulfills the basic performance standards for the position.
1.50– 2.49	Marginal Performance	Employee satisfactorily fulfills only some of the performance standards for the position
1.00 – 1.49	Below Standard	Employee does not meet performance standards for most essential duties.

**48.1 DISPUTES**

Performance standards, performance ratings, or other aspects of the performance appraisal process are not subject to ASI’s Complaint Review Procedure. Employees who feel strongly about differences in the supervisor’s rating and their own perception of their performance are encouraged to have follow-up meetings with their supervisor and make every attempt to exhaust all avenues to resolve the differences, including a meeting with the supervisor and the next level supervisor.

**49.0 PERFORMANCE APPRAISAL LINKAGE**

For all employees, a minimum job performance rating of 3.0 must be met to qualify for a pay increase in the subsequent fiscal year, provided that a pay increase for all employees is included in the operating budget when adopted by the ASI Board of Directors. For all supervisors, eligibility for a subsequent fiscal year pay increase is also subject to ensuring the completion and approval of performance evaluations for all employees under their supervision.

**FORMS**

<b>Form Name</b>	<b>Purpose</b>	<b>Responsible Office</b>	<b>Approved By</b>	<b>Timeline for Submission</b>
<b>Conference Memorandum</b>	To provide a written follow-up to an employee following a face-to-face conference session	Human Resources Department	Employee's immediate supervisor	Within three (3) business days following the face-to-face conference session.
<b>Employee Complaint Form</b>	To formally request that a complaint be considered by the Board of Control after attempts to resolve the issue at the internal levels have not been successful	Human Resources Department	N/A	Within fourteen (14) calendar days of response from Human Resources Department on outcome of Level 3 complaint.
<b>Employee Counseling Action</b>	To document in writing an employee's violation of a workplace conduct regulation	Human Resources Office	Employee's supervisor, the appropriate Division director, and the human resources manager.	Approvals must be obtained before conducting the actual counseling session. Submission should be within 30 calendar days of the discovery of the incident requiring the counseling action
<b>Employee Safety Overview Checklist (Form A)</b>	To document an employee's training in the safe methods for performing their job; the safe handling of equipment, machine operation, hazardous chemicals, and emergency evacuation procedures; general safety rules; and their right to report unsafe working conditions without fear of reprisal.	Human Resources Office	Employee's immediate supervisor	Within 72 hours of the employee's first day on the job

<b>Flexible Schedule Selection Form</b>	To select a work schedule that differs from ASI's standard office hours of 8:00 a.m. to 5:00 p.m.	Human Resources Office	Employee's supervisor and the appropriate Division director	At least 48 hours before the start of the alternative work schedule selected
<b>In Range Progression Form</b>	To request a salary increase based on market/equity concerns or the acquisition of new skills	Human Resources Office	Immediate supervisor, division director, and executive director	Submit no later than two weeks prior to the desired effective date of the salary adjustment.
<b>Leave Request Form</b>	To request time off from work	Human Resources Department	Employee's immediate supervisor and corresponding division director	No later than one working day prior to the commencement of the leave
<b>Performance Planning and Appraisal Form</b>	To document performance standards and subsequently evaluate employee performance against those standards	Human Resources Department	Employee's supervisor and the appropriate division director  In all cases, the division director's signature must be obtained before conducting the appraisal interview	The section for identifying major job requirements and establishing performance standards must be completed within 90 days of the start of the new fiscal year, or in the case of new employees, within 30 days of the first date of employment.  The section for evaluating employee performance against the established standards must be completed within 90 days of the end of the evaluation period.
<b>Personnel Action Form</b>	To record a change to an employee's standing data or wage information or to provide such information for a newly hired employee	Human Resources Office	Immediate supervisor and appropriate division director	Submit at least four (4) working days before the desired effective date of the transaction
<b>Professional Development Plan</b>	To notify ASI management of an employee's intent to seek professional development through	Human Resources Office	Immediate supervisor, division director, and human resources manager	Submit prior to the beginning of the semester in which courses will be taken

	enrollment in CSULB courses			
<b>Request for Educational Fee Advance</b>	To request advance payment of eligible fees associated with enrollment in CSULB courses	Human Resources Office	Immediate supervisor, division director, and human resources manager	Submit prior to the beginning of the semester in which courses will be taken