



# El Monte Union High School District

## **EMPLOYEE HANDBOOK**

El Monte Union High School District  
3537 Johnson Avenue  
El Monte, CA 91731

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## Welcome to the El Monte Union High School District!

Dear EMUHSD Team Member,

Welcome to the El Monte Union High School District family! We are thrilled to have you join our community of dedicated educators and professionals. Together, we share a commitment to empowering our students to become resilient college and career ready lifelong learners and contributing members of our global society.

This handbook provides essential information, including references to Board policies, regulations, and procedures that support a productive and fulfilling work experience. While the handbook does not cover every policy or procedure in detail, it will be updated regularly to reflect any changes. We encourage you to review it annually to stay informed.

Each of us plays a vital role in our students' success, and by working together, we can ensure that they acquire the knowledge and skills necessary to make meaningful contributions both locally and globally. We hope you find your career with EMUHSD rewarding and that it brings you a sense of purpose and satisfaction.

Thank you for being part of our journey toward educational excellence.

Warm regards,

A handwritten signature in black ink, appearing to read "Edward A. Zuniga".

Dr. Edward A. Zuniga

Superintendent

## **VISION and MISSION**

The vision of the El Monte Union High School District is to cultivate and empower our students to be ethical, productive, successful and contributing members of our global society.

The mission of the El Monte Union High School District is to:

- Advocate, nurture and sustain a positive school culture through a challenging and rigorous, standards-based curriculum that promotes achievement for all students;
- Ensure management of the organization, operations and resources for a safe, efficient and effective learning environment that is conducive to student learning and staff professional growth;
- Collaborate with families and community members, respond to diverse community interests and needs, and mobilize community resources;

Model a personal and institutional code of ethics and develop professional leadership capacity.

## **WHO WE SERVE**

Located in the heart of the San Gabriel Valley, the El Monte Union High School District was established in 1901. Its high schools include Arroyo, El Monte, Mountain View, Rosemead, South El Monte and Fernando R. Ledesma High School. EMUHSD also features the El Monte-Rosemead Adult School, one of California's largest and most respected adult programs.

The District employs 548 certificated employees and 516 classified employees. The professional staff provides educational programs for over 7,882 students in grades 9 through 12 and 11,000 in adult education.

The population studies show that approximately 200,000 people reside in our attendance boundaries. The area that the District serves represents a cross-section of interests, professions, and groups. The majority of income for people in this area is broadly grouped into industrial and factory work and retail sales. The families who live in this area include many in the middle to lower income economic groups. The District philosophy of education calls for the school, the home and the community to work cooperatively toward the achievement of its educational goals.

The El Monte Union High School District is an Equal Opportunity/Affirmative Action/Disabled/Title IX employer. The El Monte Union High School District provides equal employment opportunities for all individuals and does not discriminate in educational programs and activities or in the employment of personnel and the process therein on the basis of any protected class.

With a commitment to excellence underlying all goals, the Board of Trustees constantly strives to provide outstanding educational services to the youth and adults of the community.

## LIST OF SCHOOLS AND MAJOR FACILITIES

### Arroyo High School

4921 Cedar Ave.  
El Monte, CA 91732  
(626) 444-9201

### **Community Day School**

5050 Kings Row  
El Monte, CA 91732  
(626) 258-4941

### El Monte High School

3048 Tyler Ave  
El Monte, CA 91731  
(626) 444-7701

### El Monte-Rosemead Adult School

10807 Ramona Blvd.  
El Monte, CA 91731  
(626) 258-5800

### Fernando R. Ledesma Continuation High School

12347 Ramona Blvd.  
El Monte, CA 91732  
(626) 442-0481

### **Transition Center**

3513 Granada Ave  
El Monte, CA 91731  
(626) 258-4970

### Mountain View High School

2900 Parkway Dr.  
El Monte, CA 91732  
(626) 443-6181

### Rosemead High School

9063 E. Mission Dr  
Rosemead, CA 91770  
(626) 286-3141

### South El Monte High School

1001 N. Durfee Ave.  
South El Monte, CA 91733  
(626) 258-5600

## LIST OF DISTRICT OFFICE CONTACTS

### DISTRICT OFFICE

El Monte Union High School District  
3537 Johnson Avenue, El Monte, CA 91731  
626-444-9005

#### **OFFICE OF THE SUPERINTENDENT**

Superintendent	9805
Executive Secretary	9804
Fax	(626) 522-4817

#### **BUSINESS DEPARTMENT**

Asst. Supt. Business Services	9835
Administrative Secretary	9834
Fax	(626) 522-4818

#### **Fiscal Services Department**

Director of Fiscal Services	9845
Accounting Supervisor	9848

#### **Payroll**

Payroll Technician I (Classified)	9821
Payroll Technician II (Certificated)	9822
Payroll Technician II (Benefits)	9825

#### **Purchasing and Warehouse**

Director of Purchasing	9855
Buyer	9850 or 9851
Fax	(626) 522-4810

#### **Director of Risk Management & Safety**

Payroll Technician II (Benefits & Workers Comp.)	9833
	9825

#### **Nutrition Services @ SEMHS**

Director of Nutrition Services	9875
Account Technician II	9871
Nutrition Services Coordinator	9872
Fax	(626) 522-4819

#### **Facilities, Maintenance, Operations, & Transportation**

Director of FMOT	9865
Office Clerk IV	9864
Maintenance & Operations Coordinator	9866
Facilities & Energy Manager	9867

Fax	(626) 522-4811
<b>Print Shop &amp; Warehouse</b>	
Print Shop Coordinator	9858
<b>Transportation / Bus Garage</b>	
Transportation Coordinator	9860
Office Clerk III	9861
<b>Warehouse</b>	
Warehouse Coordinator	9856
<b>EDUCATIONAL SERVICES DEPARTMENT</b>	
Asst. Supt. Educational Services	9895
Administrative Secretary	9894
District/Community Liaison	9898
Fax	(626) 522-4817
<b>Information Services Department</b>	
Director of Information Services	9905
Help Desk	9900
<b>Assessment, Accountability &amp; Family Engagement Department</b>	
Director of Assessment, Accountability & Family Engagement	9915
English Learner Coordinator	9916
Account Technician I	9910 or 9911
Fax	(626) 522-4814
<b>Pupil Services Department</b>	
Director of Pupil Services	9945
District Translator/Office Support	9944
Fax	(626) 522-4817
<b>Curriculum &amp; Instruction Department</b>	
Director of Curriculum & Instruction	9925
Office Clerk I (Work Permits)	9921
Office Clerk III	9920
Office Clerk III (CTE)	9922
Assessment Data Analysis (TOSA)	9891
Math TOSA	9893
Transcripts FAX	(626) 522-4813
<b>Special Education Department</b>	
Director of Special Education	9935
Office Clerk III	9930
Special Ed Programs Administrator	8975
Special Ed Compliance Officer	9936
District Psychologist	9933

Fax

(626) 522-4820

**HUMAN RESOURCES DEPARTMENT**

Asst. Supt. Human Resources	9815
Director of Human Resources	9816
Administrative Secretary	9814
Clerical Intern	9809
Credential Analyst	9817
Personnel Technician II (Classified)	9812
Personnel Technician II (Adult Ed)	9820
Personnel Clerk (Co-Curricular)	9813
Personnel Technician I (Classified)	9818
Fax	(626) 522-4816

**Reception Desk**

Receptionist	9810
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## SECTION ONE - INTRODUCTION

### **PURPOSE OF THIS HANDBOOK**

This handbook is designed to familiarize employees with the practices of the El Monte Union High School District (EMUHSD), and provide a reference to the rules and regulations regarding the employee-employer relationship in EMUHSD. As many of our employees are covered by Collective Bargaining Agreements (“CBA”) in certain circumstances, the District will always follow any state, municipal, or other local law or regulation, to the extent it requires the provision or application of benefits that are more generous than those stated in this Employee Handbook. Further, various state laws relating to benefits may vary so please check with Human Resources if you have any questions. Also, for employees who are members of a Collective Bargaining Unit, they are governed by the terms and conditions of the applicable CBA as well as the District’s Employee Handbook. If there is a conflict between the CBA and any policy in the Employee Handbook, the CBA will prevail as it applies to union employees. If there is no conflict and the CBA is silent about the policy, the Employee Handbook/District Policy/etc. will prevail.

Classified employees are covered under the Master Contract between the El Monte Union High School District and the California School Employees Association (CSEA) unless specifically exempted in the recognition clause. Certificated employees are covered under the Contract between the El Monte Union High School District and El Monte Union Education Association (EMUEA) unless specifically excluded under the recognition clause. Certificated adult education employees are covered under the Contract between the El Monte Union High School District and El Monte Union Education Association (EMUEA) Adult Education Unit, unless specifically excluded under the recognition clause. Additional information for employees can be found on-line on the EMUHSD webpage, [www.emuhsd.org](http://www.emuhsd.org).

Employees of EMUHSD who are not classified or certificated employees are “at-will.” See At-Will Employees below.

This handbook is the property of the El Monte Union High School District, and is intended for personal use and reference by EMUHSD employees. It explains some of our philosophies and beliefs, and describes, in general terms, some of our employment guidelines. We hope that it will serve as a useful reference document for employees throughout their employment at EMUHSD. Employees should understand, however, that this handbook is not intended to be a contract (express or implied), nor is it intended to otherwise create any legally enforceable obligations on the part of EMUHSD or its employees not otherwise found in California law. The policies found in this handbook supersede and replace all previous personnel policies, practices, and guidelines except as otherwise set forth in the Board Policies.

El Monte Union High School District reserves full discretion to add to, modify, or delete provisions of this handbook, or the policies and procedures on which they may be based, at any time without advance notice except for the specific and express terms of any agreement, including the Association Agreements, and the Educational Employment Relations Act. EMUHSD also reserves the right to interpret any of the provisions set forth in this handbook in any manner it deems appropriate except as limited above. For this reason, employees should check with Human Resources to obtain current information regarding the status of any particular policy, procedure, guideline, or practice. Similarly, to obtain information regarding specific employment policies or procedures, whether or not they are contained in this handbook, employees should contact Human Resources.

## **AT-WILL EMPLOYEES**

Unless your employment is covered by a CBA, during the course of your employment, you are free to leave EMUHSD at any time for any reason and EMUHSD reserves a similar right. Thus, both you and EMUHSD will have the right to terminate your employment at any time, with or without advance notice and with or without cause. This is called “employment at-will”. In fact, every aspect of your employment relationship with EMUHSD is on an at-will basis. As part of your at-will employment, EMUHSD expressly reserves its inherent authority to manage and control its business enterprise and to exercise its sole discretion to determine all issues pertaining to your employment, including all matters concerning promotion, job assignment, the size of the workforce, demotion, transfer, and discipline. No one has the authority to alter this arrangement, to enter into an agreement for employment for a specified period, or to make any agreement contrary to this policy.

## **EQUAL EMPLOYMENT POLICY**

The Board of Education of the El Monte Union High School District (“The Board”) is determined to provide District employees and job applicants a safe, positive environment where they are assured of full and equal employment access and opportunities, protection from harassment or intimidation, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law. The El Monte Union High School District is an equal opportunity employer. We want to have the best available persons in every job. EMUHSD policy prohibits unlawful discrimination based on race, color, creed, religion (all aspects of religious beliefs, observance or practice, including religious dress or grooming practices), marital status, registered domestic partner status, age, national origin or ancestry, citizenship, immigration status, sexual orientation, physical or mental disability, medical condition (including cancer or a record or history of cancer, and genetic characteristics), sex (including pregnancy, childbirth, breastfeeding, or related medical condition), genetic characteristics or information, gender (including gender identity or gender expression), military status, veteran status, or any other consideration made unlawful by federal, state or local laws. All such discrimination is unlawful.

The District also prohibits discrimination against any employee (including supervisors, co-workers and volunteers) or job applicant in compensation, terms, conditions, and other privileges of employment and the taking of any adverse employment action, including, but not limited to, termination or the denial of employment, promotion, job assignment, or training, against an employee or job applicant based on any of the categories listed above.

Prohibited discrimination on the basis of religious creed includes discrimination based on an employee's or job applicant's religious belief or observance, including religious dress or grooming practices. In accordance with Government Code 12940, prohibited discrimination on the basis of religious creed also includes the District's failure or refusal to use reasonable means to accommodate an employee's or job applicant's religious belief, observance, or practice which conflicts with an employment requirement. However, the District shall not accommodate an employee's religious dress practice or religious grooming practice if it requires segregation of the individual from other employees or the public or if it would result in a violation of this policy or any law prohibiting discrimination.

Prohibited sex discrimination includes discrimination based on an employee's or job applicant's pregnancy, childbirth, breastfeeding, or any related medical condition. Harassment consists of unwelcome verbal, physical, or visual conduct that is based on any of the prohibited categories of discrimination listed above and that is so severe or pervasive that it adversely affects an

individual's employment opportunities, has the purpose or effect of unreasonably interfering with the individual's work performance, or creates an intimidating, hostile, or offensive work environment.

The District also prohibits retaliation against any District employee or job applicant who opposes any discriminatory employment practice by the District or its employee, agent, or representative or who complains, testifies, assists, or in any way participates in the District's complaint procedures pursuant to this policy. No employee or job applicant who requests an accommodation for any protected characteristic listed in this policy shall be subjected to any punishment or sanction, regardless of whether the request was granted.

Complaints concerning employment discrimination, harassment, or retaliation shall immediately be investigated in accordance with procedures specified in Administrative Regulation 4030. The Superintendent has designated the Assistant Superintendent for Human Resources as its coordinator for nondiscrimination in employment. Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment shall report the incident to Human Resources as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately. The District shall protect any employee who does report such incidents from retaliation.

Human Resources shall use all appropriate means to reinforce the District's nondiscrimination policy. Human Resources shall provide training and information to employees about how to recognize harassment and discrimination, how to respond appropriately, and components of the District's policies and regulations regarding discrimination. The Assistant Superintendent for Human Resources shall regularly review the District's employment practices and, as necessary, shall take action to ensure District compliance with the nondiscrimination laws.

Any EMUHSD employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

## **HARASSMENT, DISCRIMINATION & RETALIATION POLICY**

It is our policy to maintain a work environment free from all forms of unlawful harassment, discrimination or retaliation. This policy governs all aspects of employment, including recruiting, hiring, compensation, benefits, job assignments, promotions, scheduling, training, transfers, layoff/recall, discipline, termination, and all other terms, conditions, or privileges of employment.

Harassment of any kind, including sexual harassment, of one employee by another employee, supervisor or third party is prohibited by both California Government Code sections 12940 and 12950 and Title VII of the United States Civil Rights Act of 1964.

### **Prohibited Discrimination & Harassment ([4030 BP | NonDiscrimination in Employment](#))**

EMUHSD prohibits discrimination and harassment against applicants, clients, contractors, customers, employees, guests, interns, vendors, and others based on any protected characteristic or status, as defined by law, including:

- Age (40 and over)
- Ancestry
- Color
- Religious Creed (including religious dress and grooming practices)

- Denial of Family and Medical Care Leave
- Disability (mental and physical) including HIV and AIDS
- Marital Status
- Medical Condition (cancer and genetic characteristics)
- Genetic Information
- Military and Veteran Status
- Race
- Height and Weight
- Sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth or breastfeeding)
- Gender, Gender/Transgender Identity, Transgender transition, and Gender Expression and/or Gender Perception
- Sexual Orientation
- English Proficiency (except when justified by business necessity)
- Citizenship or Immigration Status
- Political Affiliations or Activities
- Status as a Victim of Domestic Violence, Assault or Stalking
- National Origin (which includes language restrictions, physical, cultural and linguistic characteristics, accent, name, marriage to or association with persons of a national origin group, tribal affiliation, school or religious participation, and association/membership affiliations)

The prohibition against discrimination and harassment applies not only to EMUHSD, but also to coworkers, supervisors, managers, and third parties with whom an employee may come into contact.

Harassment of any employee by another co-worker, supervisor or manager, third party, or anyone with whom the employee comes into contact while engaging in job duties for EMUHSD is strictly prohibited by law and a violation of EMUHSD's policy. Likewise, harassment by any employee toward any customer, vendor, guest or client of EMUHSD is also strictly prohibited.

**Prohibited Harassment ([4119.11 BP | Sexual Harassment](#))**

Harassment in violation of this policy generally consists of unwelcome conduct based on a characteristic or status protected by law, including:

- Verbal harassment, such as epithets, derogatory comments, or slurs;
- Physical harassment, such as assault, impeding or blocking movement, or any physical interference with normal work or movement; OR
- Visual forms of harassment, such as derogatory posters, cartoons, or drawings.

A complete list of such prohibited conduct is not possible. However, some examples of prohibited behavior include:

- Mimicking another's culture, accent, appearance, or customs;
- Posting cartoons that denigrate another's religion; or
- Mocking a person's physical or mental disabilities.

Please be aware that California law provides that any employee who engages in unlawful harassment will be personally liable to anyone who is harmed.

## **Prohibited Sex Harassment ([4119.11 BP | Sexual Harassment](#))**

Unlawful harassment consists of many forms of offensive behavior, including sexual harassment, which also means harassment based on gender, pregnancy, childbirth, or related medical conditions. It includes harassment of a person of the same or different gender. The conduct does not need to be motivated by sexual desire in order to be prohibited. Sexual harassment is not only a violation of District policy, it is a violation of both California and federal law.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature when either: (1) submission to such conduct is an explicit or implicit condition for employment decisions affecting the individual; or (2) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.

Examples of prohibited sexual harassment include:

- Threatening to, or actively making, job decisions such as discharge, demotion, or reassignment if sexual favors are not granted;
- Demanding sexual favors in exchange for favorable or preferential treatment;
- Making offensive, insulting, derogatory, or degrading remarks relating to sex, gender, pregnancy, childbirth, or related medical conditions;
- Making unwelcome comments about an individual's physical appearance;
- Kidding, teasing, or joking about sexual matters, or using sexually explicit or offensive language, either in person, on paper, or through email or other electronic means, including text messages;
- Displaying in the workplace sexually suggestive objects, pictures, or cartoons, including material from the Internet;
- Making offensive contact, such as hugging, grabbing, patting, pinching, or brushing against another's body;
- Using obscene or sexually oriented language or gestures;
- Making repeated offensive sexual flirtations, advances, and propositions.

## **Retaliation Prohibited ([4119.1 BP | Civil and Legal Rights -Prohibit Retaliation](#))**

EMUHSD prohibits any form of retaliation against an employee for:

- Reporting discrimination or harassment;
- Submitting a report or helping another to submit a report pursuant to this policy;
- Requesting a reasonable accommodation for a mental or physical disability, pregnancy, or religious belief;
- Opposing any conduct or practice that the employee reasonably and in good faith believes to be unlawful or contrary to this policy;
- Assisting or participating in an investigation;
- Filing a complaint with a government agency or participating in an investigation, proceeding, or hearing concerning discrimination or harassment;
- Exercising any other legally protected rights.

Retaliation is a serious violation of this policy, and incidents of retaliation must be reported immediately.

## **Reporting Harassment, Discrimination & Retaliation ([1312.3 BP | Uniform Complaint Procedures](#))**

An employee who witnesses or experiences conduct that is harassing, discriminatory, retaliatory,

or otherwise inconsistent with this policy must immediately report the matter. While an oral report may be submitted, a written report is preferred to ensure a proper investigation and outcome. The report must be submitted to the employee's manager, another manager, or the Assistant Superintendent for Human Resources.

All supervisors or managers who receive any complaint of discrimination, harassment, or retaliation, or who directly observe conduct that violates this policy, must immediately report the matter to the Assistant Superintendent for Human Resources for investigation.

At any time, an employee may call WeTip's toll-free hotline, (800) 78-CRIME ([www.wetip.com](http://www.wetip.com)) to report a situation of harassment, discrimination or retaliation. It is a violation of this policy for anyone to attempt to discourage or prevent another from reporting discrimination, harassment, or retaliation.

### **Investigation of Reports ([1312.3 AR | Uniform Complaint Procedures](#))**

When a potential violation of this policy is reported, EMUHSD will:

- Conduct a timely, fair, and thorough investigation that provides all persons appropriate due process;
- Use only a qualified and impartial manager(s) or consultant(s) to conduct an investigation;
- Document and track the complaint, investigation, and outcome;
- Maintain confidentiality throughout the investigation to the extent possible under the circumstances;
- Consider appropriate options for remedial actions and resolutions; and
- Reach a reasonable conclusion based on the evidence collected.

The results of the investigation will normally be communicated to the complainant, the person(s) about whom the complaint was made, and to others directly concerned, as appropriate. If a violation of this policy is found to have occurred, appropriate and timely remedial measures will be implemented.

Employees are urged to allow EMUHSD to investigate and resolve any violations of this policy. Employees also have the legal right to contact the California Department of Fair Employment and Housing (DFEH) at 800-884-1684 or [www.dfeh.ca.gov](http://www.dfeh.ca.gov) or the Equal Employment Opportunity Commission (EEOC) at 800-669-4000 or [www.eeoc.gov](http://www.eeoc.gov). The DFEH serves as a neutral fact-finder and attempts to help the parties voluntarily resolve disputes. If the DFEH finds sufficient evidence to establish that a violation occurred and settlement efforts fail, the DFEH may file a lawsuit. Employees also may pursue the matter through a lawsuit after a complaint has been filed with DFEH and a right-to-sue notice has been issued.

Remedial measures available, through either EMUHSD or the DFEH, for someone harmed by discrimination, harassment, or retaliation may include reinstatement, back pay, reimbursement of out-of-pocket expenses, hiring, transfer, reassignment, promotion, cease and desist orders, posting of notices, training, testing, expunging of records, reporting of records, and any other similar relief that is intended to correct a violation.

Remedial measures that may be taken by EMUHSD against employees who violate this policy include reimbursement for the cost of any remedial measures provided to the person(s) harmed, transfer, reassignment, demotion, training, testing, posting of notices, disciplinary action up to and including termination of employment, and any other actions necessary to ensure that no further violations of this policy occur.

## **GENDER TRANSITION POLICY** ([4319.22 BP | Dress and Grooming](#))

An employee beginning the transition process should contact Human Resources and be prepared to speak about their intentions, needs and concerns. The District is committed to providing an appropriate environment for employees undergoing gender transition. Harassment based upon sex and/or gender identity is prohibited and covered by the District's Unlawful Harassment Policy. Human Resources can provide assistance regarding gender transition issues pursuant to the District's Workplace Gender Transition Guidelines, including name and ID changes, dress code and insurance and leave benefits. If you have questions concerning your rights or responsibilities as an employee or manager, please contact Human Resources.

### **Gender Transition Resources and Guidelines** ([4319.22 BP | Dress and Grooming](#))

Throughout this process, the employee's internal resource is Human Resources. The employee and Human Resources shall meet to set the name and gender which shall be listed on employment records, and when the change will occur. Human Resources also shall coordinate other changes relating to name, including any changes in the HR database and any issuance of a new email address.

#### Guidelines:

##### Appearance and Dress Code Standards: ([4319.22 BP | Dress and Grooming](#))

- The employee in transition is permitted to dress consistently with their gender identity and it is expected that appropriate work attire will be worn.

#### Facilities Usage:

- The employee and Human Resources shall meet to discuss appropriate facilities usage arrangements, including as appropriate, bathrooms and changing rooms.

#### Complaint Procedures:

- Because some people have not been exposed to gender transition, co-workers may make mistakes, such as referring to the employee in gender transition by the wrong name or pronoun(s). Employees in transition should feel comfortable kindly correcting a co-worker who makes a mistake or in the alternative may contact Human Resources for assistance. Transitioning employees should be prepared to help educate their manager, Human Resources and others in order to understand clearly what their needs may be.
- Any employee concerns or complaints, including those by the employee in transition, co-workers, managers, vendors, customers or others, are to be referred to Human Resources or other appropriate person as set forth in the Unlawful Harassment policy. Discrimination/harassment based upon sex and/or gender identity is prohibited and covered by the District's Unlawful Harassment policy.

#### External Resources

- Human Rights Campaign Foundation — [www.hrc.org/workplace/transgender](http://www.hrc.org/workplace/transgender)
- Transgender at Work — [www.tgender.net/taw](http://www.tgender.net/taw)
- National Center for Transgender Equality — [www.nctequality.org](http://www.nctequality.org)
- Out & Equal Workplace Advocates — [www.outandequal.org](http://www.outandequal.org)
- Harry Benjamin International Gender Dysphoria Association — [www.hbigda.org](http://www.hbigda.org)

## GENERAL COMPLAINT PROCEDURES

EMUHSD complaint policies and procedures encourage every attempt to resolve complaints informally and at the lowest level possible. Notifying a supervisor of a concern before it becomes a complaint encourages early resolution.

However, if your complaint involves your supervisor, or you are not satisfied with your supervisor's response, or if for any reason you do not wish to bring the problem to your supervisor's attention, you may present your concern to Human Resources for investigation. Human Resources will inform you of the procedures for formal written complaints. If you are a supervisor or manager who has received a complaint of harassment, you must report the complaint to Human Resources immediately for investigation.

When informal resolution is not possible, a formal complaint process exists for parents, students, community members and employees. Employees represented by labor unions may also seek union representation. Complaint and professional courtesy procedures are outlined in each bargaining unit agreement.

If you believe that the above procedures have not resolved your complaints or you do not wish to utilize the above procedure, you may contact the California Department of Fair Employment and Housing (DFEH) at 1-800-884-1684 or [www.dfeh.ca.gov](http://www.dfeh.ca.gov) or the Equal Employment Opportunity Commission at [www.eeoc.gov](http://www.eeoc.gov) or 1-800- 669-4000. For more information, contact the DFEH or EEOC.

### **ADA POLICY** ([4032 AR](#) | [Reasonable Accommodations](#))

It is the policy of EMUHSD to comply with the Americans with Disabilities Act (ADA) as well as applicable state and local laws relating to disability issues. The District will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of a person's physical or mental disability. We will also reasonably accommodate all employees or applicants with disabilities who are otherwise qualified to safely perform the essential duties of the job unless any such accommodations would impose an undue hardship on EMUHSD.

Applicants and employees are assured that all information regarding a disability shall be kept completely confidential except that:

- Supervisors and managers may be informed regarding restrictions on work or duties of disabled employees and any accommodations that have been made;
- If the condition requires emergency treatment, first aid and safety personnel may be informed; and
- Government officials investigating compliance with federal laws may need to be informed in certain circumstances.
- All employees with responsibilities which may require knowledge of disabilities will be advised that they are to treat that knowledge with confidentiality.

Any applicant or employee who requires a reasonable accommodation in order to perform the essential functions of the job should contact Human Resources or their supervisor and request such an accommodation. The individual with the disability should specify what accommodation they need to perform the job. EMUHSD will conduct an investigation to identify the barriers that make it difficult for the applicant or employee to have an equal opportunity to perform their job. EMUHSD will engage in an interactive process with the employee to identify possible

accommodations, if any, that will help eliminate the limitation. If the accommodation is reasonable and will not impose an undue hardship, EMUHSD will make the accommodation.

### **DIVERSITY IN OUR WORKPLACE**

We strive to maintain a work environment which supports diversity for all employees. We ask our employees to respect meaningful differences and be aware that people from diverse backgrounds add vitality, creativity, ideas and growth to an organization. Acceptance and appreciation of other cultures and ideas are valuable contributions to a productive working environment. At EMUHSD, we are proud of our diverse workforce and place great value on the diversity of our employees.

### **GENETIC INFORMATION NONDISCRIMINATION ACT OF 2008 (GINA)**

EMUHSD will not use genetic information to make decisions about health insurance or employment; we will not request, require, or purchase any applicant's or an employee's genetic information. If you feel that you are or have been subjected to any kind of harassment, coercion or intimidation by anyone, whether by one of your co-workers, a student, parent or vendor, or a member of our management, we encourage you to file a complaint with your supervisor. However, if your complaint involves your supervisor, or you are not satisfied with your supervisor's response, or if for any reason you do not wish to bring the problem to your supervisor's attention, you may present your concern to Human Resources or any other manager immediately. Human Resources will assist you in preparing any written documentation necessary. Appropriate action will be taken to deter any future discrimination, and whatever action is taken will be made known to you. EMUHSD will not retaliate against you for filing a complaint and will not knowingly permit retaliation by management, employees or co-workers.

Your complaint should be specific and should include the names of the individuals involved and the names of any witnesses. EMUHSD will promptly undertake an effective, thorough and objective investigation and attempt to resolve the situation. If EMUHSD determines that unlawful discrimination has occurred, effective remedial action will be taken commensurate with the severity of the offense. Appropriate action will be taken to deter any future discrimination, and whatever action is taken will be made known to you. EMUHSD will not retaliate against you for filing a complaint and will not knowingly permit retaliation by management, employees or your co-workers.

### **OPEN-DOOR POLICY**

EMUHSD recognizes employees will have suggestions for improving the workplace or may encounter problems or misunderstandings. To help solve any problems you may encounter, we encourage you to talk with your supervisor and be solution-oriented. Problems relating to our personnel policies and procedures can and should be settled as soon as they arise. You may also discuss your concerns with your department head or Human Resources.

While EMUHSD provides you with this opportunity to communicate your views, please understand not every issue can be resolved to your satisfaction. Even so, EMUHSD believes open communication is essential to a successful work environment and all employees should feel free to raise issues of concern without fear of reprisal. The same means of resolving problems applies for those persons who feel they are experiencing any form of discrimination, including sexual harassment. Again, the first step for calling this concern to the attention of EMUHSD is through your supervisor. However, because of the sensitive nature of such a complaint, you may feel more comfortable taking it immediately to Human Resources.

## **HOTLINE AND WHISTLEBLOWER INFORMATION** ([4119.1 BP | Civil and Legal Rights](#))

An employee shall have the right to disclose to a member of The Board, a school administrator, or the Superintendent any improper governmental activity by the District or a District employee that violates state or federal law, is economically wasteful, or involves gross misconduct, incompetency, or inefficiency. When the employee has reasonable cause to believe that the information discloses a violation of state or federal statute or a violation of or noncompliance with a state or federal rule or regulation, the employee has the right to disclose such information to a government or law enforcement agency or to refuse to participate in any such activity.

No employee shall use or attempt to use their official authority or influence to intimidate, threaten, coerce, or command another employee for the purpose of interfering with that employee's right to disclose improper governmental activity. An employee who has disclosed improper governmental activity and believes that they have subsequently been subjected to acts or attempted acts of reprisal may file a written complaint in accordance with the District's complaint procedures. After filing a complaint with the District, the employee may also file a copy of the complaint with local law enforcement and/or seek civil law remedies against the supervisor or administrator who retaliated or attempted to retaliate against him/her, in accordance with Education Code 44114.

EMUHSD offers the We-Tip Ethics and Employee Relations Compliance Hotline to assist its employees. We-Tip's Compliance Hotline provides a direct and safe route for employees to anonymously report questionable work practices, fraud, harassment, discrimination, theft, drug or alcohol use, threats of violence, safety violations and hazards in the workplace without the fear of retribution, harassment, or retaliation. ([www.wetip.com](http://www.wetip.com))

We-Tip's toll-free hotline, (800) 78-CRIME, is staffed 24-hour a day, 7-days a week, by trained bi-lingual operators. All calls are 100% anonymous. When an employee calls in to report a concern, We-Tip's operator will first establish the caller's anonymity. Once the anonymity of the caller has been established, the operator will take the caller through a series of questions developed through the aid of law enforcement to elicit as much information as possible. We-Tip information is immediately conveyed to the appropriate law enforcement agency, risk management department, or Human Resources.

## SECTION TWO – GENERAL POLICIES

### **ACCESS TO STUDENT RECORDS** ([5125 BP | Student Records](#)) ([5125 AR | Student Records](#))

A school employee may access a student record without written parental consent only when that employee has a legitimate educational interest to inspect the record. No school employee who is permitted to access a student record shall divulge or otherwise permit access to the information contained in that record to any other person without the written consent of the student's parent or guardian, unless further sharing of information is with other persons within the educational institution and those persons have a legitimate educational interest in the information.

### **BULLETIN BOARDS**

Bulletin boards are used by EMUHSD to provide employees with information concerning operations and various regulations. This is a major form of communication used by EMUHSD for posting memos, policies, and training information. Employees may not post items of any nature on EMUHSD bulletin boards.

### **CELLULAR PHONES** ([4040 BP | Employee Use of Technology](#))

An employee shall not use a cellular phone or other mobile communications device for personal business while on duty, except in emergency situations and/or during scheduled work breaks.

Any employee that uses a cell phone or mobile communications device in violation of law, Board policy, or administrative regulation shall be subject to discipline and may be referred to law enforcement officials as appropriate.

### **CONFIDENTIAL INFORMATION** ([4119.23 BP | Unauthorized Release of Confidential Info.](#))

EMUHSD recognizes the importance of keeping confidential information confidential. Staff shall maintain the confidentiality of information acquired in the course of their employment. Confidential/privileged information shall be released only to the extent authorized by law.

Disclosure of Closed Session Information: An employee shall not disclose confidential information acquired by being present during a closed session to a person not entitled to receive such information, unless the Board authorizes disclosure of that information.

Confidential information means a communication made in a closed session that is specifically related to the basis for the Board to meet lawfully in closed session.

An employee who willfully discloses confidential information acquired during a closed session may be subject to disciplinary action if the employee has received training or notice as to the requirements of this policy.

The District shall not take disciplinary action against any employee for disclosing confidential information acquired in a closed session, nor shall the disclosure be considered a violation of the law or Board policy, when the employee is:

1. Making a confidential inquiry or complaint to a District attorney or grand jury concerning a perceived violation of law, including disclosing facts necessary to establish the illegality or potential illegality of a Board action that has been the subject of deliberation during a closed session;
2. Expressing an opinion concerning the propriety or legality of Board action in closed session, including disclosure of the nature and extent of the illegal or potentially illegal action;

### 3. Disclosing information that is not confidential.

Other Disclosures: An employee who willfully releases confidential/privileged information about the District, students or staff shall be subject to disciplinary action.

No employee shall disclose confidential information acquired in the course of their official duties. Confidential information includes information that is not a public record subject to disclosure under the Public Records Act, information that by law may not be disclosed, or information that may have a material financial effect on the employee.

Any action by an employee which inadvertently or carelessly results in release of confidential or privileged information shall be recorded, and the record shall be placed in the employee's personnel file. Depending on the circumstances, the Superintendent or designee may deny the employee further access to any privileged information and shall take any steps necessary to prevent any further unauthorized release of such information.

### **CHILD ABUSE PREVENTION AND REPORTING** ([5141.41 BP | Child Abuse Prevention](#) )

The Board is committed to supporting the safety and well-being of District students and desires to facilitate the prevention of and response to child abuse and neglect. The Superintendent or designee shall develop and implement strategies for preventing, recognizing, and promptly reporting known or suspected child abuse and neglect.

The Board agrees with the Legislature that:

- Child abuse and neglect is a severe and increasing problem in California.
- School Districts and preschools are able to provide an environment for training of children, parents, and all school District staff.
- Primary prevention programs in the school Districts are an effective and cost-efficient method of reducing the incidence of child abuse and neglect and for promoting health family environments.

The Superintendent or designee may provide a student who is a victim of abuse with school-based mental health services or other support services and/or may refer the student to resources available within the community as needed.

District employees are obligated to report all known or suspected incidents of child abuse and neglect in accordance with law, Board policy, and administrative regulation. Employees shall not investigate any suspected incidents but rather shall fully cooperate with agencies responsible for reporting, investigating and prosecuting cases of child abuse and neglect.

Parents/guardians may file a complaint against a District employee or other person whom they suspect has engaged in abuse of a child at a school site. The Superintendent or designee shall provide parents/guardians information about reporting procedures in accordance with the law.

The Superintendent or designee shall provide training regarding reporting duties of District employees mandated by law to report suspected child abuse and neglect.

In the event that training is not provided to the employees mandated to report child abuse and neglect, the Superintendent or designee shall report to the California Department of Education the reasons that such training is not provided.

### **Child Abuse Reporting Notification** ([5141.4 BP | Child Abuse Prevention and Reporting](#))

State law requires that every school District employee who falls within certain criteria be familiar

with the laws relating to child abuse reporting requirements. Such employees should receive annual notification reminding them of the reporting requirements.

Sections 11165.9 and 11166 of the Penal Code requires a mandated reporter to make a report to any police department or sheriff's department, not including a school District police or security department, county probation department, if designated by the county to receive mandated reports, or the county welfare department whenever the mandated reporter, in their professional capacity or within the scope of their employment, has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. The mandated reporter shall make a report to the agency immediately or as soon as practicably possible by telephone, and the mandated reporter shall prepare and send a written report thereof within 36 hours of receiving the information concerning the incident.

Child abuse or neglect includes a physical injury inflicted by other than accidental means on a child by another person, sexual abuse of a child as defined in penal code 11165.1, neglect as defined in penal code 11165.2, willful cruelty or unjustifiable punishment of a child as defined in penal code 11165.3, unlawful corporal punishment or injury resulting in a traumatic condition as defined in penal code 11165.4 and abuse or neglect of a child in out-of-home care, including at school as defined in penal code 11165.5.

Child abuse or neglect does not include a mutual affray between minors, an injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of their employment, the exercise by a teacher, vice principal, principal or other certificated employee of the same degree of physical control over a student that a parent/guardian would be privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning, an amount of force that is reasonable and necessary for a school employee to quell a disturbance threatening physical injury to persons or damage to property, to protect himself/herself, or to obtain weapons or other dangerous objects within the control of the student and physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by the student.

Mandated reporters include but are not limited to teachers, instructional aides, teacher's aides, or assistants, classified employees, certificated pupil personnel employees, administrators and employees of a licensed day care facility, head start teachers, District police or security officers and administrators, presenters or counselors of a child abuse prevention program.

Reasonable suspicion means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on training and experience, to suspect child abuse or neglect.

Penal Code Section 11166 states:

(a) Except as provided in subdivision (c), a mandated reporter shall make a report to an agency specified in Section 11165.9 whenever the mandated reporter, in their professional capacity or within the scope of their employment, has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. The mandated reporter shall make a report to the agency immediately or as soon as is practicably possible by telephone, and the mandated reporter shall prepare and send a written report thereof within 36 hours of receiving the information concerning the incident.

(b) Any mandated reporter who fails to report an incident of known or reasonably suspected child

abuse or neglect as required by this section is guilty of a misdemeanor punishable by up to six months confinement in a county jail or by a fine of one thousand dollars (\$1,000) or by both that fine and punishment.

(c) Any commercial film and photographic print processor who has knowledge of or observes, with the scope of their professional capacity or employment, any film, photograph, videotape, negative, or slide depicting a child under the age of 16 years engaged in an act of sexual conduct, shall report the instance of suspected child abuse to the law enforcement agency having jurisdiction over the case immediately, or as soon as practically possible, by telephone, and shall prepare and send a written report of it with a copy of the film, photograph, videotape, negative, or slide attached within 36 hours of receiving the information concerning the incident. As used in this subdivision, "sexual conduct" means any of the following:

- (1) Sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex or between humans and animals.
- (2) Penetration of the vagina or rectum by any object.
- (3) Masturbation for the purpose of sexual stimulation of the viewer.
- (4) Sadomasochistic abuse for the purpose of sexual stimulation of the viewer.
- (5) Exhibition of the genitals, pubic, or rectal areas of any person for the purpose of sexual stimulation of the viewer.

(d) Any other person who has knowledge of or observes a child whom they know or reasonably suspect has been a victim of child abuse or neglect may report the known or suspected instance of child abuse or neglect to an agency specified in Section 11165.9.

(e) When two or more persons, who are required to report, jointly have knowledge of a known or suspected instance of child abuse or neglect, and when there is agreement among them, the telephone report may be made by a member of the team selected by mutual agreement and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make the report.

- (1) The reporting duties under this section are individual, and no supervisor or administrator may impede or inhibit the reporting duties, and no person making a report shall be subject to any sanction for making the report. However, internal procedures to facilitate reporting and apprise supervisors and administrators may be established provided that they are not inconsistent with this article.
- (2) The internal procedures shall not require any employee required to make reports pursuant to this article to disclose their identity to the employer.
- (3) Reporting the information regarding a case of possible child abuse or neglect to an employer, supervisor, school principal, school counselor, coworker, or other person shall not be a substitute for making a mandated report to an agency specified in Section 11165.9.

(f) A county probation or welfare department shall immediately, or as soon as practically possible, report by telephone, fax or electronic transmission to the law enforcement agency having jurisdiction over the case, to the agency given the responsibility for investigation of cases under Section 300 of the Welfare and Institutions Code, and to the District attorney's office every known or suspected instance of child abuse or neglect, as defined in Section 11165.6, except acts or omissions coming within subdivision (b) of Section 11165.2, or reports made pursuant to Section 11165.13 based on risk to a child which relates solely to the inability of the parent to provide the

child with regular care due to the parent's substance abuse, which shall be reported only to the county welfare or probation department. A county probation or welfare department also shall send, fax, or electronically transmit a written report thereof within 36 hours of receiving the information concerning the incident to any agency to which it makes a telephone report under this subdivision.

(g) A law enforcement agency shall immediately, or as soon as practically possible, report by telephone to the agency given responsibility for investigation of cases under Section 300 of the Welfare and Institutions Code and to the District attorney's office every known or suspected instance of child abuse or neglect reported to it, except acts or omissions coming within subdivision (b) of Section 11165.2, which shall be reported only to the county welfare or probation department. A law enforcement agency shall report to the county welfare or probation department every known or suspected instance of child abuse or neglect reported to it which is alleged to have occurred as a result of the action of a person responsible for the child's welfare, or as the result of the failure of a person responsible for the child's welfare to adequately protect the minor from abuse when the person responsible for the child's welfare knew or reasonably should have known that the minor was in danger of abuse. A law enforcement agency also shall send, fax, or electronically transmit a written report thereof within 36 hours of receiving the information concerning the incident to any agency to which it makes a telephone report under this subdivision.

For El Monte Union High School District, the "proper authorities" are:

Department of Children and Family Services (800) 540-4000

El Monte Police Department 626-580-2110

#### **CODE OF ETHICS - PROFESSIONAL STANDARDS ([4119.21 BP](#) | [Professional Standards](#))**

The Governing Board expects District employees to maintain the highest ethical standards, exhibit professional behavior, follow District policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students and other members of the school community. Employee conduct should enhance the integrity of the District, advance the goals of the District's educational programs, and contribute to a positive school climate.

The Board encourages District employees to accept as guiding principles the professional standards and codes of ethics adopted by educational or professional associations to which they may belong.

#### **DRIVING ON EMUHSD BUSINESS ([3540 BP](#) | [Transportation](#))**

Employees who are required to drive on District business are required to maintain safe driving records and follow all applicable motor vehicles laws. Employees are forbidden to text-message while driving on EMUHSD business and/or in an EMUHSD vehicle. Employees are also required to use a hands-free device if using a cell phone while driving. Before being permitted to drive on District business, they may be required to show proof of a current valid driving license and current insurance coverage. If an employee is required to drive as part of their job duties, EMUHSD retains the right to transfer to an alternative position, suspend or terminate a staff member whose license is revoked or suspended, or who fails to maintain personal automobile insurance coverage or who is uninsurable under the District's policy. If the driver's license of a staff member who is required to drive as part of their job duties is suspended or revoked, the staff member must immediately report that fact to Human Resources.

## **DRUG AND ALCOHOL-FREE WORKPLACE** ([4020 BP | Drug and Alcohol-Free Workplace](#))

The Board of Trustees believes that the maintenance of drug- and alcohol-free workplaces is essential to school and District operations.

No employee shall unlawfully manufacture, distribute, dispense, possess, use or be under the influence of any alcoholic beverage, drug or controlled substance as defined in 21 USC 81 at any school District workplace. These prohibitions apply before, during and after school hours. A school District workplace is any place where school District work is performed, any school-owned or school-approved vehicle used to transport pupils to and from school or school activities; any off-school sites when accommodating a school-sponsored or school-approved activity or function where pupils are under District jurisdiction; or during any period of time when an employee is supervising pupils on behalf of the district or otherwise engaged in district business.

The Superintendent or designee shall notify employees of these prohibitions.

An employee shall abide by the terms of this policy and notify the District, within five days, of any criminal drug or alcohol statute conviction which he/she receives for a violation occurring in the workplace.

The Superintendent or designee shall notify the appropriate federal granting or contracting agencies within 10 days after receiving notification, from an employee or otherwise, of any conviction for a violation occurring in the workplace.

The Board may not employ or retain in employment persons convicted of a controlled substance offense as defined in Education Code 44011. If any such conviction is reversed and the person acquitted in a new trial or the charges dismissed, his/her employment is no longer prohibited. A plea or verdict of guilty, a finding of guilt by a court in a trial without a jury, or a conviction following a plea of nolo contendere shall be deemed to be a conviction.

A classified employee may be reemployed after conviction of such an offense if the Board determines, from the evidence presented, that the person has been rehabilitated for at least five years.

The Board may take appropriate disciplinary action, up to and including termination, or require the employee to satisfactorily participate in and complete a drug assistance or rehabilitation program approved by a federal, state or local health, law enforcement or other appropriate agency.

The Superintendent or designee shall establish a drug- and alcohol-free awareness program to inform employees about:

1. The dangers of drug and alcohol abuse in the workplace
2. The District policy of maintaining drug- and alcohol-free workplaces
3. Any available drug and alcohol counseling, rehabilitation, and employee assistance programs
4. The penalties that may be imposed on employees for drug and alcohol abuse violations

### **Hotline Services**

At any time, an employee may call WeTip's toll-free hotline, (800) 78-CRIME to report a situation regarding the violation of District policies or issues of community safety. It is a violation of this policy for anyone to attempt to discourage or prevent another person from reporting such issues.

## **EMPLOYEE USE OF TECHNOLOGY** ([4040 BP | Employee Use of Technology](#))

The Board of Trustees recognizes that technological resources can enhance employee performance by offering effective tools to assist in providing a quality instructional program, facilitating communications with parents/guardians, students, and the community, supporting District and school operations, and improving access to and exchange of information. The Board expects all employees to learn to use the available technological resources that will assist them in the performance of their job responsibilities. As needed, employees shall receive training in the appropriate use of these resources.

Employees shall be responsible for the appropriate use of technology and shall use the District's technological resources primarily for purposes related to their employment.

Employees shall be notified that computer files and communications over electronic networks, including e-mail and voice mail, are not private. These technologies shall not be used to transmit confidential information about pupils, employees or District operations without authority.

The Superintendent or designee shall ensure that all District computers with Internet access have a technology protection measure that prevents access to visual depictions that are obscene or child pornography, and that the operation of such measures is enforced. The Superintendent or designee may disable the technology protection measure during use by an adult to enable access for bona fide research or other lawful purpose.

To ensure proper use of the system, the Superintendent or designee may monitor employee usage of the District's technological resources, including e-mail and voicemail systems, at any time without advance notice or consent. When passwords are used, they must be known to the Superintendent or designee so that they may have system access.

The Superintendent or designee shall establish administrative regulations and an Acceptable Use Agreement which outline employee obligations and responsibilities related to the use of District technology. He/she also may establish guidelines and limits on the use of technological resources. Inappropriate use may result in a cancellation of the employee's user privileges, disciplinary action and/or legal action in accordance with law, Board policy and administrative regulations.

The Superintendent or designee shall provide copies of related policies, regulations and guidelines to all employees who use the District's technological resources. Employees shall be required to acknowledge in writing that they have read and understood the District's Acceptable Use Agreement.

### **Use of Cellular Phone or Mobile Communications Device**

An employee shall not use a cellular phone or other mobile communications device for personal business while on duty, except in emergency situations and/or during scheduled work breaks

### **On-Line/Internet Services: User Obligations and Responsibilities**

Employees are authorized to use District equipment to access the Internet or other online services in accordance with Board policy, the District's Acceptable Use Agreement, and the user obligations and responsibilities specified below.

1. The employee in whose name an online services account is issued is responsible for its proper use at all times. Employees shall keep account information, home addresses, and telephone numbers private. They shall use the system only under the account number to which they have been assigned.
2. Employees shall use the system safely, responsibly, and primarily for work-related

purposes.

3. Employees shall not access, post, submit, publish, or display harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race, ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs.
4. Employees shall not use the system to promote unethical practices or any activity prohibited by law, Board policy, or administrative regulations.
5. Employees shall not use the system to engage in commercial or other for-profit activities without permission of the Superintendent or designee.
6. Copyrighted material shall be posted online only in accordance with applicable copyright laws.
7. Employees shall not attempt to interfere with other users' ability to send or receive email, nor shall they attempt to read, delete, copy, modify, or forge other users' email.
8. Employees shall not develop any classroom or work-related web sites, blogs, forums, or similar online communications representing the District or using District equipment or resources without permission of the Superintendent or designee. Such sites shall be subject to rules and guidelines established for District online publishing activities including, but not limited to, copyright laws, privacy rights, and prohibitions against obscene, libelous, and slanderous content. Because of the unfiltered nature of blogs, any such site shall include a disclaimer that the District is not responsible for the content of the messages. The District retains the right to delete material on any such online communications.
9. Users shall report any security problem or misuse of the services to the Superintendent or designee.

#### **MEDIA CONTACTS** ([1112 BP | Media Relations](#))

All media requests for the official position of EMUHSD on any topic must be referred to the Office of the Superintendent. Employees are not permitted to speak to the media on behalf of EMUHSD. Nothing herein prohibits an employee from speaking to the media on the employee's own behalf. However, employees may not disclose any of EMUHSD's confidential or proprietary information to the media or other third parties.

#### **NO SOLICITATION RULE** ([4335 BP | Soliciting and Selling](#))

In the interest of comfort, convenience and continued goodwill of our employees, there shall be no solicitation of any kind (including but not limited to solicitation of goods, services, autographs or memorabilia, etc.) by an employee of another employee while either person is on their working time. Working time includes all time for which the employee is supposed to be performing services for EMUHSD. It does not include break periods, meal periods, or time before or after work. Solicitation by non-employees on EMUHSD premises is prohibited at all times.

Additionally, distribution by employees of advertising material, handbills, printed or written literature of any kind in working areas of EMUHSD is prohibited at all times. Distribution of literature by non-employees on EMUHSD property is prohibited at all times.

#### **RESIGNATION, TERMINATION & EXIT INTERVIEWS** ([4317 BP | Resignation](#))

Unless your employment is covered by an Association contract, during the course of your employment, you are free to leave EMUHSD at any time for any reason and EMUHSD reserves a similar right. While recognizing this, EMUHSD requests two (2) weeks' notice of voluntary

resignation. Before receiving your final paycheck, you will be expected to turn in your uniforms, keys or other materials belonging to the District and you may be invited to participate in an exit interview.

**DISTRICT SPONSORED SOCIAL MEDIA GUIDELINES** ([1114 BP | District Sponsored Social Media](#)) ([1114 AR | District Sponsored Social Media](#)) ([1112 BP | Media Relations](#))

**Definitions**

Social media means any online platform for collaboration, interaction, and active participation, including, but not limited to, social networking sites such as Facebook, YouTube, LinkedIn, or blogs.

Official District social media platform is a site authorized by the Superintendent or designee. Sites that have not been authorized by the Superintendent or designee but that contain content related to the District or comments on District operations, such as a site created by a parent-teacher organization, booster club, or other school-connected organization or a student's or employee's personal site, are not considered official District social media platforms.

**Authorization for Official District Social Media Platforms**

The Superintendent or designee shall authorize the development of any official District social media platform. Teachers and coaches shall obtain approval from the principal before creating an official classroom or team social media platform.

**Guidelines for Content**

The Superintendent or designee shall ensure that official District social media platforms provide current information regarding District programs, activities, and operations, consistent with the goals and purposes of this policy and regulation. Official District social media platforms shall contain content that is appropriate for all audiences.

The Superintendent or designee shall ensure that copyright laws are not violated in the use of material on official District social media platforms.

The Superintendent or designee shall ensure that official District social media platforms are regularly monitored. Staff members responsible for monitoring content may remove posts based on viewpoint-neutral considerations, such as lack of relation to the site's purpose or violation of the District's policy, regulation, or content guidelines.

Each official District social media platform shall prominently display:

1. The purpose of the site along with a statement that users are expected to use the site only for those intended purposes.
2. Information on how to use the security settings of the social media platform.
3. A statement that the site is regularly monitored and that any inappropriate post will be promptly removed. Inappropriate posts include those that:
  - a. Are obscene, libelous, or so incite students as to create a clear and present danger of the commission of unlawful acts on school premises, violation of school rules, or substantial disruption of the school's orderly operation
  - b. Are not related to the stated purpose of the site, including, but not limited to, comments of a commercial nature, political activity, and comments that constitute discrimination or harassment
4. Protocols for users, including expectations that users will communicate in a respectful, courteous, and professional manner.

5. A statement that users are personally responsible for the content of their posts and that the District is not responsible for the content of external online platforms.
6. A disclaimer that the views and comments expressed on the site are those of the users and do not necessarily reflect the views of the District.
7. A disclaimer that any user's reference to a specific commercial product or service does not imply endorsement or recommendation of that product or service by the District.
8. The individual(s) to contact regarding violation of District guidelines on the use of official District social media platforms.

District employees who participate in official District social media platforms shall adhere to all applicable District policies and procedures, including, but not limited to, professional standards related to interactions with students.

When appropriate, employees using official District social media platforms shall identify themselves by name and District title and include a disclaimer stating that the views and opinions expressed in their post are theirs alone and do not necessarily represent those of the District or school.

All staff shall receive information about appropriate use of the official District social media platforms.

### **Best practices**

Freedom of speech must be exercised responsibly on the sites. These recommendations provide a roadmap for constructive, respectful, and productive use of social networking sites.

Be respectful: Respect your audience and your colleagues. Take care not to engage in any conduct that would not be acceptable in the workplace.

Get your facts straight: Ensure that you are providing accurate information so that you are not misrepresenting the District, school site, or program.

Be mindful of your public image: Consider the image you want to portray to the public. Be mindful that what you post may be viewed by parents, students, administrators and community members, and may stay public for a long time.

Use your best judgment: Remember there may be consequences to what you post, so consider your content carefully. If you are about to post something that makes you the slightest bit uncomfortable, review these guidelines and think about whether to post the material. If necessary, please allow the District to review before posting.

### **Press inquiries ([1112 BP | Media Relations](#))**

Postings may generate media coverage. If a member of the media contacts you about a social media posting or requests information about the program, contact the Superintendent's Office.

### **TOBACCO-FREE WORKPLACE ([3513.3 BP | Tobacco Free-Schools](#))**

The Governing Board recognizes that smoking and other uses of tobacco and nicotine products constitute a serious public health hazard and are inconsistent with District goals to provide a healthy environment for students and staff.

The Board prohibits the use of tobacco products at any time in District-owned or leased buildings, on District property and in District vehicles.

This prohibition applies to all employees, students and visitors at any school-sponsored

instructional program, activity or athletic event held on or off District property. Any written joint use agreement governing community use of District facilities or grounds shall include notice of the District's tobacco-free schools policy and consequences for violations of the policy.

The products prohibited include any product containing tobacco or nicotine, including, but not limited to, cigarettes, cigars, miniature cigars, smokeless tobacco, snuff, chew, clove cigarettes, betel, electronic cigarettes, electronic hookahs, and other vapor-emitting devices, with or without nicotine content, that mimic the use of tobacco products.

This policy does not prohibit the use or possession of prescription products and other cessation aids that have been approved by the U.S. Department of Health and Human Services, Food and Drug Administration, such as nicotine patch or gum.

Smoking or use of any tobacco-related product or disposal of any tobacco-related waste is prohibited within 25 feet of any playground, except on a public sidewalk located within 25 feet of the playground. In addition, any form of intimidation, threat, or retaliation against a person for attempting to enforce this policy is prohibited.

### **Notifications**

Information about the District's tobacco-free schools policy and enforcement procedures shall be communicated clearly to employees, parents/guardians, students and the community.

The Superintendent or designee may disseminate this information through annual written notifications, District and school websites, student and parent handbooks, and/or other methods.

Signs stating "Tobacco use is prohibited" shall be prominently displayed at all entrances to school property.

### **Enforcement/Discipline**

Any employee or student who violates the District's tobacco-free schools policy shall be asked to refrain from smoking and shall be subject to disciplinary action as appropriate.

Any other person who violates the District's policy on tobacco-free schools shall be informed of the District's policy and asked to refrain from smoking. If the person fails to comply with this request, the Superintendent or designee may:

1. Direct the person to leave school property
2. Request local law enforcement assistance in removing the person from school premises
3. If the person repeatedly violates the tobacco-free schools policy, prohibit them from entering District property for a specified period of time

The Superintendent or designee shall not be required to physically eject a nonemployee who is smoking or to request that the nonemployee refrain from smoking under circumstances involving a risk of physical harm to the District or any employee.

### **WORKING WITH VOLUNTEERS ([1240 BP | Volunteer Assistance](#))**

Community volunteers in our schools enrich the educational program and strengthen our schools' relationships with homes, businesses, public agencies and private institutions. The presence of volunteers in the classroom and on school grounds also enhances supervision of students and contributes to school safety.

The Board prohibits harassment of any volunteer on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic

information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status.

As appropriate, the Superintendent or designee shall provide volunteers with information about school goals, programs, and practices and an orientation or other training related to their specific responsibilities. Employees who supervise volunteers shall ensure that volunteers are assigned meaningful responsibilities that utilize their skills and expertise and maximize their contribution to the educational program.

Volunteers shall act in accordance with District policies, regulations, and school rules. The Superintendent or designee shall be responsible for investigating and resolving complaints regarding volunteers.

## SECTION THREE – EMPLOYMENT POLICIES

### ATTENDANCE POLICY

The contribution of each EMUHSD employee is critical and the efforts of each and every one are needed to help EMUHSD to reach its goals. Consistent staff attendance increases program continuity, as well as chances for success for staff and students alike. For these and many more reasons, EMUHSD places great value on positive and consistent attendance, and thanks each of you in advance for your many efforts towards supporting it in practice.

### BREAKS AND MEAL PERIODS ([Reference CBA for Certificated and Classified Staff](#))

This section applies to non-exempt employees of EMUHSD who are not covered by a CBA.

Breaks and meal periods are intended to provide the employee with an opportunity for rest and relaxation. Accordingly, it is against EMUHSD policy for employees to perform any work during these periods. Otherwise, employees are free to use their meal period in whatever way they wish, including leaving the premises, as long as they can be back at their work station by the end of their break.

All employees are authorized and permitted to take a paid 10-minute rest period during each four (4) hour period worked, or major fraction thereof. If the employee's work day is 3 ½ hours or less, no rest period is permitted. The chart below reflects the number of rest periods available to employees based on the number of hours worked.

### REST BREAKS

Shifts Less than 4 Hours in Length	No rest break
Shifts Between 4 and 6 Hours in Length	One (1) 10-minute rest break minimum
Shifts Greater Than 6 Hours and Up to 10 Hours in Length	Two (2) 10-minute rest breaks minimum
Shifts Greater Than 10 Hours and Up to 14 Hours in Length	Three (3) 10-minute rest breaks minimum

Ten (10)-minute rest periods should be taken as close to the middle of each four-hour period as practicable. Employees do not have to record when they take a rest break.

Meal periods of one-half (½) hour are provided for employees who work in excess of a five (5) hour shift. The meal period must be started before completion of the 5th hour of work. For instance, if the employee starts work at 8:00 a.m., the meal period must be started by 1:00 p.m. A second paid meal period of one-half (½) hour, is provided for employees who work in excess of ten (10) hours on a given day. The second meal period must be taken before completion of the 10th hour of work.

All employees are authorized and permitted to take their rest periods and unpaid meal periods, and such rest periods and meal periods should be taken. Meals should be taken as follows:

## MEAL BREAKS

4 hour Shift	No Meal Break
Over 4 to 6 Hour Shift	One half (½) hour meal break prior to the end of the 5th hour of work.
Over 6 to 8 Hour Shift	One half (½) hour meal break prior to the end of the 5th hour of work.
10 or More than 10 Hour Shift	Two one half (½) hour meal breaks. Meal breaks prior to the end of the 5th and 10th hours of work

The employee's manager can designate when they may take a meal period. Employees must coordinate with their manager the time they leave for a break and/or a meal period so that the position is properly covered while they are away.

Employees may not waive their meal period. Employees may not combine meal and rest periods unless authorized by their immediate supervisor. If employees believe they have not been permitted, or have been discouraged from taking a meal or rest break provided or permitted under this policy, they should report these concerns to the employee's manager and/or to Human Resources immediately.

It is against EMUHSD policy for any employee to perform work during meal or rest periods. It is against EMUHSD policy to return to work before the end of a 30-minute meal period or ten minute rest break. It is also against EMUHSD policy for employees to work "off the clock," that is, perform work without recording it as time worked on their timesheets.

### **REST PERIODS FOR NURSING EMPLOYEES** ([4033 BP | Lactation Accommodations](#))

EMUHSD recognizes that employees who are nursing may require time during the workday to express breast milk. EMUHSD will therefore, provide a reasonable amount of break time to accommodate an employee desiring to express breast milk. We will provide a place, other than a bathroom, that is shielded from view and free from intrusion. The break time shall, if possible, run concurrently with any rest period the employee is already provided. If it is necessary for an employee to take additional break time that does not run concurrently with the authorized rest period, the additional time will be unpaid.

### **DISCIPLINARY ACTION, CAUSES FOR DISMISSAL: CERTIFICATED PERSONNEL** ([4118 BP | Suspension/Disciplinary Action](#)) ([4118 AR | Suspension/Disciplinary Action](#))

#### Suspension Without Pay

When a permanent certificated employee's unprofessional conduct is not considered serious enough to warrant dismissal, he/she may be suspended without pay on grounds of unprofessional conduct, following procedures designated in Education Code 44932-44938.

A probationary certificated employee may be suspended without pay for a specified period during the school year as an alternative to dismissal following procedures designated in Education Code 44948.3.

Prior to any disciplinary action on charges leading to suspension without pay on the grounds of unprofessional conduct, the Superintendent or designee shall give the employee written notice. This written notice shall:

1. Indicate the nature of the employee's unprofessional conduct
2. Cite specific instances of unprofessional behavior
3. Give the employee a 45-day opportunity to correct the misconduct and overcome the ground(s) for the charge(s)
4. Include the evaluation made pursuant to Education Code 44660-44665, if applicable

#### Mandatory Leave of Absence

Upon being informed that a certificated employee has been charged with a “mandatory leave of absence offense,” the Superintendent or designee shall immediately place the employee on a leave of absence. A mandatory leave of absence offense includes:

1. Any sex offense as defined in Education Code 44010
2. Any offense involving the unlawful sale, use or exchange to minors of controlled substances as listed in Health and Safety Code 11054, 11055 and 11056, with the exception of marijuana, mescaline, peyote, or tetrahydrocannabinols

Upon receipt of notification from the Department of Justice by telephone that a current temporary, substitute, or probationary employee serving before March 15 of his/her second probationary year has been convicted of a violent or receipt of written electronic notification of the conviction from the Department of Justice, such employee shall be automatically terminated and without regard to any other termination procedure.

An employee’s mandatory leave may extend for not more than 10 days after the entry of judgment in the proceedings. However, the Governing Board may extend a certificated employee’s mandatory leave by giving notice, within 10 days after the entry of judgment in the proceedings, that the employee will be dismissed within 30 days from the date of service of the notice unless he/she demands a hearing.

Employee compensation during the period of mandatory leave shall be made in accordance with Education Code 44940.5.

#### Optional Leave of Absence

The Board may require an immediate compulsory leave of absence when a certificated employee is charged with an “optional leave of absence offense” as specified in law. Such employees shall be subject to the same requirements specified in Education Code 44940.5 regarding extension of the leave, furnishing of a bond, and payment of salaries for employees charged with mandatory leave of absence offenses.

#### Protection of a Student’s Free Speech or Press Rights

An employee shall not be suspended, disciplined, reassigned, transferred, dismissed, or otherwise retaliated against solely for acting to protect a student, or for refusing to infringe on a student’s protected conduct, when that student is exercising his/her free speech or press rights pursuant to Education Code 48907 or 48950.

### **DISCIPLINARY ACTION, CAUSES FOR DISMISSAL: CLASSIFIED PERSONNEL**

[\(4117.4 AR | Dismissal\)](#)

#### Termination of Probationary Employment

At any time prior to the expiration of the probationary period, the Superintendent or designee may, at his/her discretion, dismiss a probationary classified employee from District employment. A probationary employee shall not be entitled to a hearing.

#### Involuntary Suspension Without Pay, Demotion, Reduction of Pay Step in Class, or Dismissal of Permanent Classified Employees

Permanent classified employees shall be subject to personnel action (suspension without pay, demotion, reduction of pay step in class, dismissal) only for cause. The Board's determination of the sufficiency of the cause for disciplinary action shall be conclusive.

1. **Causes** - In addition to any disqualifying or actionable causes otherwise provided for by statute or by policy or regulation of this District, each of the following constitutes cause for personnel action against a permanent classified employee:
  - a. Falsifying any information supplied to the school District, including, but not limited to, information supplied on application forms, employment records, or any other school District records.
  - b. Incompetency.
  - c. Inefficiency.
  - d. Neglect of duty.
  - e. Insubordination.
  - f. Dishonesty.
  - g. Drinking alcoholic beverages while on duty or in such close time proximity thereto as to cause any detrimental effect upon the employee or upon employees associated with them.
  - h. Possessing or being under the influence of a controlled substance at work or away from work, or furnishing a controlled substance to a minor.
  - i. Conviction of a felony, conviction of any sex offense made relevant by provisions of law, or conviction of a misdemeanor which is of such a nature as to adversely affect the employee's ability to perform the duties and responsibilities of their position. A plea or verdict of guilty, or a conviction following a plea of nolo contendere, is deemed to be a conviction for this purpose.
  - j. Absence without leave.
  - k. Immoral conduct.
  - l. Discourteous treatment of the public, students, or other employees.
  - m. Improper political activity.
  - n. Willful disobedience.
  - o. Misuse of District property.
  - p. Violation of District, Board or departmental rule, policy, or procedure.
  - q. Failure to possess or keep in effect any license, certificate, or other similar requirement specified in the employee's class specification or otherwise necessary for the employee to perform the duties of the position.
  - r. Refusal to take and subscribe any oath or affirmation which is required by law in connection with his/her employment.
  - s. A physical or mental disability which precludes the employee from the proper performance of his/her duties and responsibilities as determined by competent medical authority, except as otherwise provided by a contract or by law regulating the retirement of employees.
  - t. Unlawful discrimination, including harassment, on the basis of race, religious creed,

- color, national origin, ancestry, physical handicap, marital status, sex, or age against the public or other employees while acting in the capacity of a District employee.
- u. Unlawful retaliation against any other District officer or employee or member of the public who, in good faith, reports, discloses, divulges, or otherwise brings to the attention of any appropriate authority any information relative to an actual or suspected violation of state or federal law occurring on the job or directly related thereto.
- v. Any other failure of good behavior either during or outside of duty hours which is of such nature that it causes discredit to the District or their employment.

Except as defined in item "s" above, no personnel action shall be taken for any cause which arose before the employee become permanent, nor for any cause which arose more than two years before the date of the filing of the notice of cause unless this cause was concealed or not disclosed by the employee when it could be reasonably assumed that the employee would have disclosed the facts to the District.

## 2. Initiation and Notification of Charges

The Superintendent or designee may initiate a personnel action as defined herein against a permanent classified employee.

In all cases involving a personnel action, the person initiating the action shall file a written recommendation of personnel action with the Board. A copy of the recommendation shall be served upon the employee either personally or by registered or certified mail, return receipt requested, at the employee's last known address. The recommendation shall include:

- a. A statement of the nature of the personnel action (suspension without pay, demotion, reduction of pay step in class, or dismissal).
  - b. A statement of the cause or causes for the personnel action, as set forth above.
  - c. A statement of the specific acts or omissions upon which the causes are based. If a violation of rule, policy, or regulation of the District is alleged, the rule, policy, or regulation violated shall be stated in the recommendation.
  - d. A statement of the employee's right to appeal the recommendation and the manner and time within which the appeal must be filed.
  - e. A card or paper, the signing and filing of which shall constitute a demand for hearing and a denial of all charges.
- ## 3. Employment Status Pending Appeal or Waiver

Except as provided herein, any employee against whom a recommendation of personnel action has been issued shall remain on active duty status and responsible for fulfilling the duties of the position pending his/her appeal or waiver thereof.

If the Superintendent or designee determines that a permanent classified employee should be dismissed and that his/her continuing in active duty status would present an unreasonable risk of harm to students, staff, or property while proceedings are pending, the Superintendent or designee may order the employee immediately suspended from duty without pay in conjunction with the recommendation of personnel action. This suspension order shall be in writing and shall state the reasons that the suspension is deemed necessary. The suspension order shall be served upon the employee either personally or by registered or certified mail, return receipt requested, immediately after issuance. Except in cases of emergency when the employee must be removed from the premises immediately, the Superintendent or designee shall give the employee written

notice of the proposed recommendation of dismissal at least five calendar days before the effective date of any order of suspension issued in conjunction with a recommendation involving dismissal. This notice shall state that immediate suspension without pay is being considered, the reasons for the proposed dismissal and proposed immediate suspension without pay, materials upon which the proposed action is based, and the employee's right to respond to the Superintendent or designee orally or in writing before the final recommendation and order are issued.

4. Time Limit of Suspension

Except for a suspension imposed under #3 above, any suspension invoked under these rules against any one person for one or more periods shall not aggregate more than 90 calendar days in any 12-month period; however, this time limitation shall not apply to cases in which a personnel action of dismissal is modified by the Board to a suspension.

5. Right to Appeal

\*\*\*Note: In California School Employees Association v. Livingston Union School District, a District's policy, pursuant to Education Code 45113, required that the employee be provided written notice of his right to request a hearing on the charges within five days "after service of the notice." The notice was delivered via certified mail to the employee's post office box, but the employee did not actually receive the notice until several months later. The District denied the employee's late request for a hearing on the grounds that it was not received within five days from the date the notice was mailed. The court held that the District's notice was invalid because it was not "reasonably calculated" to notify the employee of the action and to afford him an opportunity to request a hearing. Thus, when calculating the five day response timeline, Districts should be careful to ensure that the notice has first been received by the employee.\*\*\*

Within five calendar days after receiving the recommendation of personnel action described above, the employee may appeal by signing and filing the card or paper included with the recommendation. Any other written document signed and appropriately filed within the specified time limit by the employee shall constitute a sufficient notice of appeal. A notice of appeal is filed only by delivering the notice of appeal to the office of the Superintendent or designee during normal work hours of that office. A notice of appeal may be mailed to the office of the Superintendent or designee but must be received or postmarked no later than the time limit stated herein. In cases where an order of suspension without pay has been issued in conjunction with a recommendation of dismissal, any appeal of the recommendation of dismissal shall also constitute an appeal of the suspension order, and the necessity of the order shall be an issue in the appeal hearing. If the employee fails to file a notice of appeal within the time specified in these rules, he/she shall be deemed to have waived his/her right to appeal, and the Board may order the recommended personnel action into effect immediately.

6. Amended/Supplemental Charges

At any time before an employee's appeal is finally submitted to the Board or to a hearing officer for decision, the complainant may, with the consent of the Board or hearing officer, serve on the employee and file with the Board an amended or supplemental recommendation of personnel action.

If the amended or supplemental recommendation presents new causes or allegations, the employee shall be afforded a reasonable opportunity to prepare his/her defense. Any new causes or allegations shall be deemed controverted and any objections to the amended or supplemental causes or allegation may be made orally at the hearing and shall be noted on the record.

## 7. Hearing Procedures

- a. The hearing shall be held at the earliest convenient date, taking into consideration the established schedule of the Board or hearing officer and the availability of counsel and witnesses. The parties shall be notified of the time and place of the hearing. The employee shall be entitled to appear personally, produce evidence, and have counsel. The employee shall be entitled to a public hearing if he/she demands it when the Board is hearing the appeal. The complainant may also be represented by counsel. The procedure entitled "Administrative Adjudication" commencing with Government Code 11500 shall not apply to any such hearing before the Board or a hearing officer. Neither the Board nor a hearing officer shall be bound by rules of evidence used in California courts. Informality in any such hearing shall not invalidate any order or decision made or approved by the hearing officer or the Board.
- b. All hearings shall be heard by a hearing officer (who shall be an attorney licensed in the State of California) except in those cases where the Board determines to hear the appeal itself. In any case in which the Board hears the appeal, the Board may use the services of its counsel or a hearing officer in ruling upon procedural questions, objections to evidence, and issues of law. If the appeal is heard by the Board, the Board shall affirm, modify or revoke the recommended personnel action.
- c. If the appeal is heard by a hearing officer, he/she shall prepare a proposed decision in a form that may be adopted by the Board as the decision in the case. A copy of the proposed decision shall be received and filed by the Board and furnished to each party within 10 days after the proposed decision is filed by the Board. The Board may:
  - i. Adopt the proposed decision in its entirety.
  - ii. Reduce the personnel action set forth in the proposed decision and adopt the balance of the proposed decision.
  - iii. Reject a proposed reduction in personnel action, approve the personnel action sought by the complainant or any lesser penalty, and adopt the balance of the proposed decision.
  - iv. Reject the proposed decision in its entirety.
- d. If the Board rejects the proposed decision in its entirety, each party shall be notified of such action and the Board may decide the case upon the record including the transcript, with or without the taking of additional evidence, or may refer the case to the same or another hearing officer to take additional evidence. If the case is so assigned to a hearing officer, he/she shall prepare a proposed decision, as provided in item "c" above, upon the additional evidence and the transcript and other papers which are part of the record of the prior hearing. A copy of this proposed decision shall be furnished to each party within 10 days after the proposed decision is filed by the Board.
- e. In arriving at a decision or a proposed decision on the propriety of the proposed personnel action, the Board or the hearing officer may consider the records of any prior personnel action proceedings against the employee in which a personnel action was ultimately sustained and any records that were contained in the employee's personnel files and introduced into evidence at the hearing.

## 8. Hearing Decision

The decision of the Board shall be in writing and shall contain findings of fact and the personnel action approved, if any. The findings may reiterate the language of the pleadings

or simply refer to them.

The decision of the Board shall be certified to the Superintendent or designee who recommended the personnel action, and he/she shall enforce and follow this decision. A copy of the decision shall be delivered to the appellant or his/her designated representative personally or by registered mail. The decision of the Board shall be final.

9. Compulsory Dismissal

The District shall not employ or retain in employment any person who has been convicted of any sex offense as defined in Education Code 44010 or any controlled substance offense as defined in Education Code 44011. However, the District may employ a person convicted of a controlled substance offense if the Board determines from the evidence it requires that the person has been rehabilitated for at least five years. If any such conviction is reversed and the person acquitted or charges dismissed except as otherwise provided below, the employee may be reemployed by the District, although reemployment is not a guarantee. (Education Code 45123)

The District reserves the right to dismiss an employee for any acts upon which the original criminal charges were based, despite the disposition by the courts. If dismissal is recommended and upheld, an employee will not be reemployed or compensated for the time he/she was suspended unless otherwise required by law. An employee shall be given notice of the possibility of not being reimbursed during mandatory suspension if he/she is ultimately dismissed for the acts upon which the original charges were based.

10. Extension of Compulsory Leave

The Board may extend an employee's compulsory leave of absence by giving him/her notice, within 10 days after the entry of judgment in the proceedings, that he/she will be dismissed in 30 days unless he/she demands a hearing. Employee compensation during the period of compulsory leave shall be made in accordance with law.

**EMPLOYMENT RECORDS & PERSONNEL FILES ([4312.6 AR](#) | [Personnel Files](#))**

Current and former employees have a right to inspect their personnel file, as provided by law, in the presence of a representative of EMUHSD at a mutually convenient time. Current employees may add comments to any disputed item in the file. Upon request, current and former employees may receive copies of documents in their personnel file provided that they pay for the actual costs of copying. An employee can also designate, in writing, a representative to conduct the inspection of, or to receive a copy of, the employee's personnel file. EMUHSD will take reasonable steps to verify the identity of a requestor. This may include a driver's license or other government identification cards that include a photograph of the bearer. If an employee is required to inspect or receive a copy at a location other than the place where the employee reports to work, no loss of compensation to the employee is permitted because of the time needed for the employee to travel from the site where the employee normally reports to work.

EMUHSD will allow viewing and/or copying of a personnel file within 30 calendar days of a written request of a current or former employee, or the employee's representative. EMUHSD will redact other employee's confidential information that may be in the records being copied and produced.

Exceptions to required responses to requests:

EMUHSD will not respond to more than one request per year by a former employee to inspect or to receive a copy of their personnel file.

- If a former employee seeking to inspect their personnel records was terminated for a violation of law, or an employment-related policy involving harassment or workplace

violence, EMUHSD may comply with the request by doing one of the following: (a) making the personnel records available to the former employee for inspection at a location other than the workplace that is within a reasonable driving distance of the former employee's residence; or (b) providing a copy of the personnel records by mail.

### **PROBATIONARY PERIOD**

[\(4116 BP | Probationary/Permanent Status \(Certificated\)\)](#)

[\(4216 BP | Probationary/Permanent Status \(Classified\)\)](#)

If your employment is not covered by a Collective Bargaining Agreement, you are subject to the same probationary periods as other certificated or classified employees, whichever applies. During this time, you will be able to evaluate your interest in continued association with EMUHSD and EMUHSD will assess your abilities, qualifications and suitability for the position for which you were hired. Feel free to ask your supervisor about any aspect of your job that you might not be sure of.

If your employment is not covered by a Collective Bargaining Agreement, during this probationary period, and at any other time during employment, under at-will provisions, an employee may be discharged with or without cause, and with or without notice. You may resign with or without notice at any time. An employee involuntarily terminated during the probationary period may not be eligible for re-employment by EMUHSD. Successful completion of the probationary period does not alter the at-will employment relationship.

### **PERFORMANCE APPRAISALS (Refer to CBA)**

If your employment is covered by a Collective Bargaining Agreement, refer to that agreement for details and frequency of performance appraisals. If your employment is not covered by a Collective Bargaining Agreement, at regular intervals, your immediate supervisor should provide you with a written evaluation of your work performance. This evaluation typically includes ratings in the following areas: quantity and quality of work, work habits and attitudes, interpersonal skills, dependability, and attendance. Performance evaluations should be completed at least annually and may be bi-annually. The evaluations will be discussed with you by your supervisor and a copy of the completed form will be given to you. If you do not receive your evaluation, ask your supervisor about it.

## SECTION FOUR – PAYROLL PROCEDURES

### **ATTENDANCE AND ABSENCE REPORTING** (Frontline)

All employees must accurately document attendance. The method for documenting hours is dependent on classification and assignment. Check with your immediate supervisor for instructions on how to document daily attendance and how to report absences.

### **CHANGE OF EMPLOYEE RECORD (ADDRESS/PHONE/STATUS ETC.)**

[Human Resources Web Page](#) | [Employee Forms](#)

It is important that the District maintain accurate records on every employee. For this reason, employees are responsible for ensuring that any changes in address, phone, contact and other related employee information be submitted immediately in writing to Human Resources.

### **DIRECT DEPOSIT PROCEDURES**

[Human Resources Web Page](#) | [Employee Forms](#)

EMUHSD offers the advantage of direct deposit of paychecks and encourages the use of this benefit. With direct deposit, your paycheck is automatically deposited in the bank account of your choice and you receive a pay stub detailing your pay and itemized deductions. To start or stop direct deposits, please complete and return the form to the Payroll Office. Direct deposit form can be obtained from the district website under the Fiscal Services department, or from the payroll office

### **EXPENSE REIMBURSEMENTS** ([Purchasing Department Web Page Forms](#))

The Governing Board recognizes that District employees may incur expenses in the course of performing their assigned duties and responsibilities. To ensure the prudent use of public funds, the Superintendent or designee shall establish rules to keep such expenses to a minimum while affording employees a reasonable level of safety and convenience.

The Board shall authorize payment for actual and necessary travel expenses incurred by any employee performing authorized services for the District, whether within or outside District boundaries.

The Superintendent or designee shall establish procedures for the approval of travel requests and the submission and verification of expense claims. The Superintendent also shall establish reimbursement rates in accordance with law and Board policy.

An employee shall obtain approval from the Superintendent or designee prior to traveling. The Superintendent or designee may approve travel requests in accordance with the adopted budget and upon determining that the travel is authorized or assigned by the employee's supervisor, is necessary to attend a conference or other staff development opportunity that will enhance employee performance, and/or is otherwise necessary to the performance of the employee's duties. Travel expenses not previously budgeted may be approved on a case-by-case basis by the Superintendent or designee if the Superintendent determines that the travel is essential and that resources may be obtained or redirected for this purpose.

All out-of-state travel for which reimbursement will be claimed shall be approved in advance by the Board.

Reimbursable travel expenses may include, but are not limited to, costs of meals, tips or gratuities,

costs of transportation, parking fees, bridge or road tolls, lodging when District business reasonably requires an overnight stay, registration fees for seminars and conferences, telephone and other communication expenses incurred on District business, and other necessary incidental expenses.

The District shall not reimburse personal travel expenses including, but not limited to, tips or gratuities, alcohol, entertainment, laundry, expenses of any family member who is accompanying the employee on District-related business, personal use of an automobile, and personal losses or traffic violation fees incurred while on District business.

Except as otherwise provided, reimbursement of travel expenses shall be based on actual expenses as documented by receipts.

Authorized employees shall be reimbursed for the use of their own private vehicles in the performance of assigned duties, on either a mileage or monthly basis as determined by the Superintendent or designee.

The mileage allowance provided by the District for employees' use of their private vehicles shall be equal to the rate established by the Internal Revenue Service.

Vehicles should be shared whenever possible to minimize travel costs. No employee shall be entitled to reimbursement for automobile travel when they are transported free of charge or by another employee who is entitled to the expense reimbursement.

Meal costs shall be reimbursed based on documented actual expenses within the maximum amounts established by the Superintendent or designee and based on the time of day that travel for District business begins and ends.

Any expense that exceeds the maximum rate of reimbursement established by the District shall be reimbursed only with the approval of the Superintendent or designee.

All expense reimbursement claims shall be submitted on a District form following return from travel as soon as possible. The form shall be accompanied by itemized receipts and any explanation necessary to document that the expenses meet District criteria for reimbursement.

The Superintendent or designee shall approve expense claims only upon verifying that all necessary documentation is provided and that all expenses are appropriate and related to District business. If an expense claim is disallowed due to lack of documentation or inappropriate expenses, the employee may be personally responsible for any improper costs incurred.

When approved by the Superintendent or designee, an employee may be issued a District credit card for use while on authorized District business. Itemized receipts documenting the expenses incurred on a District credit card shall be submitted promptly following return from travel. Under no circumstances shall personal expenses be charged on a District credit card, even if the employee intends to subsequently reimburse the District for the personal charges. When necessary, the Superintendent or designee may approve a cash advance, not to exceed the estimated out-of-pocket reimbursable expenses, to an employee authorized to travel on District business. Upon return from travel, the employee shall submit a final accounting with all necessary supporting documentation. The employee shall refund to the District any amount of cash advance exceeding the actual approved reimbursable expenses.

#### **OVERTIME** (Refer to CBA)

This section applies to non-exempt employees of EMUHSD who are not covered by a Collective

## Bargaining Agreement.

At times it may be necessary for employees to work overtime. However, employees are not allowed to work overtime unless it has been authorized in advance by their supervisor. Employees working unauthorized overtime may be subject to disciplinary action, up to and including termination.

The employee's supervisor will notify the employee whenever overtime is necessary. We expect and will appreciate the employee's cooperation. Overtime opportunities will be made available to all qualified employees. Every effort will be made to provide the employee with advance notice of any overtime that will be required.

Non-exempt employees will be paid one and one-half times their regular rate for all hours worked over forty (40) in a workweek, eight (8) hours in a workday or the first eight (8) hours on the seventh consecutive day of work in a workweek.

Non-exempt employees will be paid two (2) times their regular rate for all hours worked in excess of twelve (12) in a workday or in excess of eight (8) on the seventh consecutive day of work in a workweek. Paid time off including time off for holidays and leaves of absence (disability leave, PTO, personal leave, etc.) are not considered hours worked for the purpose of computing overtime. Exempt employees are not entitled to overtime pay.

There shall be no pyramiding of overtime. When more than one overtime premium can be applied to the same working time (for example, an employee works in excess of eight (8) hours on a particular workday and the employee's hours also total more than forty (40) hours for that workweek) only one computation, whichever is of greater benefit to the employee, shall be used to compute overtime pay.

## **PAYDAY AND WORK WEEK**

### **Certificated Paydays\***

Monthly Certificated employees – payday is the last working day of the month. For Part-Time hourly Certificated employees, extra hours, workshops, period sub, coaching stipend, yearbook, cell phone stipend, and substitute teachers, payday is the 5<sup>th</sup> of the month

### **Classified Paydays\***

Monthly and Part-Time Classified employees – payday is on the 10<sup>th</sup> and 25<sup>th</sup> of the month. For overtime, extra hours, AVID Tutors, Student Help, Coaching stipend, Cell phone stipend, and Classified Substitutes (not permanent employees) payday is on the 10<sup>th</sup> of the month

\*If a payday falls on the weekend, employees are paid the Friday before.

The official District work week begins at 12:01 AM Monday and ends at 12:00 Midnight on Sunday.

## **PAYROLL ADVANCES AND DEDUCTIONS**

Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participating in various EMUHSD benefit programs. The law also requires that EMUHSD make certain deductions from an employee's compensation. These deductions include, but are not limited to, Social Security(OASDI), Medicare, federal, state income taxes, and court-mandated garnishments if any.

As a matter of District policy, EMUHSD does not provide payroll advances.

## **PAYROLL TIME REPORTING**

Employee timesheets are kept at each school site. All employees are responsible for reviewing and approving their own time sheet at the end of each pay period. The site administrator is responsible for submitting the timesheets to payroll. Please see your direct supervisor if you have any questions about procedures for recording your time worked.

## SECTION FIVE - BENEFITS

As a benefit-eligible employee of EMUHSD, you have a program of benefits available to you and in some instances, your family. Benefits related to time off programs are described below while other benefits such as health care, income protection, and retirement savings, are described in our annual summary of benefits and official plan documents where available. For additional information about any of our benefits, please contact the Payroll-Benefits department.

### **HOLIDAYS – CSEA UNIT MEMBERS** (Refer to CBA)

- A. During the term of this Agreement the District will observe the following paid holidays for eligible unit members:
- New Year’s Day
  - Martin Luther King Jr. Birthday
  - Lincoln Day
  - Washington Day
  - Memorial Day
  - Juneteenth
  - Independence Day
  - Labor Day
  - Admission Day (Floating Holiday)
  - Veteran’s Day
  - Thanksgiving Day
  - Day after Thanksgiving Day
  - Day before Christmas Day
  - Christmas Day
- B. When the holiday falls on a Saturday, the preceding Friday shall be the paid holiday. When a holiday falls on a Sunday, the following Monday shall be the paid holiday.
- C. In order to be eligible for holiday pay an employee must be in paid status for either the full working day preceding or the full working day following the holiday.
- D. One additional holiday (for a total of two) designated as a “Floating Holiday,” shall be granted to each classified employee in the bargaining unit to be scheduled by mutual agreement between employee and District management.
- E. The Friday of spring recess shall be a paid holiday for Maintenance and Operations personnel; the work schedule for clerical personnel that week shall be on a Monday through Thursday basis.

### **VACATION – CSEA UNIT MEMBERS** (Refer to CBA)

1. Full time CSEA unit members shall be eligible for vacations, subject to the provisions below, as follows:

Completed years of continuous service	Number of vacation days earned per month worked	Total Number of Vacation Days Earned Per Year			
		9 months	10 months	11 months	12 months
1 through 5	1	9.5	10	11	12
6 through 12	1 ¼	11 ¼	12 ½	13 ¾	15

13 through 17	1 ½	13 ½	15	16 ½	18
18 or more	1 ⅔	15	16 ⅔	18 ⅓	20
25 or more	1 ¾	15 ¾	17 ½	19 ¼	21

2. The above provisions shall apply only to unit members who have satisfactorily completed the first three months of probationary employment in the District and have been recommended for further probationary employment.
3. Vacations shall be scheduled only with the approval of the employee’s immediate supervisor.
4. Unit members shall either schedule vacation or be scheduled for vacation by the District. Notwithstanding the foregoing, the District reserves the right to schedule unit members for vacation on staff development (Senate Bill No. 1 882) days. Nothing herein detracts from the District’s right to approve or disapprove scheduling of vacation.
5. Vacations shall not be deemed to have been vested until completion by the employee of their first six months of employment.
6. If an employee is terminated and has taken vacation, which has not yet been earned at the time of termination, the District shall be entitled to deduct from the employee’s final check the full amount of salary, which was paid for such unearned days of vacation actually taken.
7. Upon separation from employment with the District, the employee shall be entitled to payment for all earned and unused vacation, except that employees who have not completed six (6) months of employment shall not be entitled to such compensation.
8. If the unit member is not permitted to take his/her full annual vacation by June 30 following the year in which the vacation was earned, the amount not taken may accumulate for use in the next year. No accumulation beyond one year shall be allowed.

The vacation days for Classified Management and Classified Confidential Employees shall be as follows:

Completed years of continuous service	Total number of vacation days earned per year
1 through 3	12
4 – 7	17
8 or more	22

**INSURANCE BENEFITS** ([Business Services Web Page | Benefits Tab](#))

El Monte Union High School District takes pride in offering benefits programs that provide flexibility for the diverse and changing needs of our employees. The School District offers eligible employees and their family members a full range of benefits. You may choose the options that best meet your needs. Visit the District’s website for a link to information about available health benefits.

The District shall provide health and welfare benefits for employees in bargaining units in accordance with state and federal law and subject to negotiated employee agreements. Employees who are not in bargaining units shall receive health and welfare benefits as specified in Board policy and administrative regulation.

Employees should refer to the District's website in order to keep current on any changes to benefits and benefit details.

### **INSURANCE CONTINUATION** ([Business Services Web Page | Benefits Tab](#))

In the event that an employee is on extended leave for illness or approved leave in accordance with FMLA or CFRA, the District will continue its contributions toward the employee's health benefits in accordance with labor code and/or the employee's collective bargaining agreement and/or standard practice. The employee is responsible for contributing their portion of the monthly cost of health benefits throughout the leave.

In the event that the employee exhausts their sick leave allotment during any such leave, they will be responsible for their portion of the contribution and will need to submit payment to the District on a monthly basis to maintain their health benefits package in active status.

In the event that an employee requests and is granted unpaid leave, the employee is responsible for the full cost of the health benefits package. The District does not contribute to health benefits while an employee is on unpaid leave.

Retired certificated employees, other employees who would otherwise lose coverage due to a qualifying event specified in law and administrative regulation, and their qualified dependents may continue to participate in the District's group health and welfare benefits in accordance with state and federal law.

The District contribution toward continuation health coverage for covered employees and their qualified dependents shall be the same as for current employees participating in the group health plan.

### **RETIREMENT / PENSION** ([Human Resources Retirement Page | Retirement Tab](#))

Depending on status, service time and classification, EMUHSD employees may be eligible to participate in CalPERS (Classified) or CalSTRS (Certificated) programs. For more information please refer to Human Resources or the CalPERS/CalSTRS website(s).

### **SICK LEAVE** ([4361.1 AR | Personal Illness - Injury Leave](#)) ([4361.2 AR | Personal Leave](#))

Employees not represented by a Collective Bargaining Agreement (CBA) will be eligible for paid sick leave pursuant to the Healthy Workplaces, Healthy Families Act of 2014 (HWHFA).

All regular, part-time employees who work for 30 or more days within a year of their employment shall be entitled to one hour of paid sick leave for every 30 hours worked. Such employees may begin to use accrued paid sick days on the 90<sup>th</sup> day of their employment, after which they may use the sick days as they are accrued. Accrued paid sick days shall carry over to the following year of employment.

Employees may use the paid sick leave for:

- Diagnosis, care, or treatment of an existing health condition of, or preventive care for, the employee or an employee's "family member," which means any of the following:
  - a biological, adopted, or foster child, or stepchild, legal ward, or child to whom the employee stands in loco parentis, regardless of age or dependency status;
  - a biological, adoptive, or foster parent, or stepparent, or legal guardian of the

- employee or the employee's spouse/registered domestic partner, or a person who stood in loco parentis when the employee was a minor child;
- the employee's spouse/registered domestic partner;
- the employee's grandparent;
- the employee's grandchild;
- the employee's sibling. and
- If the employee is a victim of domestic violence, sexual assault, or stalking, to:
  - obtain or attempt to obtain any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the employee or employee's child;
  - seek medical attention for the employee's injuries;
  - obtain services from a domestic violence shelter, program, or rape crisis center;
  - obtain psychological counseling;
  - participate in safety planning and take other actions to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation.

Employees must provide reasonable advance notification if the need for paid sick leave is foreseeable. Where the need for paid sick leave is unforeseeable, the employee shall provide notice of the need for leave as soon as possible.

Sick pay may be taken in increments of less than one day, with minimum increments of one hour. Sick leave may not be used in advance of accrual.

The amount of paid sick leave the employee is eligible to take will be posted on each paycheck. Sick pay is not paid out upon termination.

Employees will be paid sick leave benefits in accordance with the HWHFA. Absences protected by HWHFA or other state or federal laws do not count as a violation of the attendance policy.

### **UNPAID PERSONAL LEAVE** ([Human Resources Page](#) | [Employee Forms Tab](#))

If your employment is not covered by a collective bargaining agreement, unpaid personal leave may be granted under certain circumstances.

The applications for and granting of such leaves of absence shall be in writing and submitted to the employee's direct supervisor, and then to Human Resources for approval. For questions about unpaid leaves, contact Human Resources.

## SECTION SIX - LEAVES OF ABSENCE

### **PERSONAL LEAVE** ([4361.1 AR | Personal Illness - Injury Leave](#)) ([4361.2 AR | Personal Leave](#))

#### Bereavement

Employees are entitled to a leave of up to five days, or seven days if out-of-state travel is required, upon the death of any member of the employee's immediate family. No deduction shall be made from the employee's salary, nor shall such leave be deducted from any other leave to which the employee is entitled.

Members of the immediate family include:

1. The mother; father, grandmother, or grandfather of the employee or of the spouse of the employee, and the spouse, son, son-in-law, daughter, daughter-in-law, brother or sister, grandchild, step-parent, step-child, foster parent, foster child; legal guardian, brother-in-law, sister-in-law of the employee; or any person living in the immediate household of the employee provided that such person is the employee's "significant other" or "partner."

At the employee's request, bereavement leave may be extended under personal necessity leave provisions as provided in the section "Personal Necessity" below.

#### Personal Necessity

Employees may use a maximum of seven days of their accrued personal illness/injury leave (sick leave) during each school year for reasons of personal necessity.

Acceptable reasons for the use of personal necessity leave include:

1. Death of a member of the employee's immediate family when the number of days of absence exceeds the limits set by bereavement leave provisions
2. An accident involving the employee's person or property or the person or property of a member of the employee's immediate family
3. A serious illness of a member of the certificated employee's immediate family
4. A classified employee's appearance in any court or before any administrative tribunal as a litigant, party, or witness under subpoena or other order
5. Fire, flood, or other immediate danger to the home of the employee
6. Personal business of a serious nature which the employee cannot disregard

Leave for personal necessity may be allowed for other reasons at the discretion of the Superintendent or designee. However, personal necessity leave shall not be granted for purposes of personal convenience, for the extension of a holiday or vacation, or for matters which can be taken care of outside of working hours. The Superintendent or designee shall have final discretion as to whether or not a request reflects personal necessity.

Advance permission shall not be required of any employee in any case involving the death of a member of the employee's immediate family, an accident involving the employee's person or property or the person or property of a member of their immediate family, or the serious illness of a member of the employee's immediate family.

However, the employee shall notify the Superintendent or designee of the need for the leave as soon as practicable.

### **CRIME VICTIM'S LEAVE ([4361.2 AR | Personal Leave](#))**

EMUHSD will provide time off to an employee to attend judicial proceedings related to a crime, if that employee is a victim of a crime, an immediate family member (defined here as spouse, domestic partner, child, stepchild, sibling, stepsibling, mother, stepmother, father or stepfather) of a victim, a registered domestic partner of a victim, or the child of a registered domestic partner of a victim. EMUHSD requires when feasible, in advance of taking leave, the employee provides their supervisor with a copy of the notice of each scheduled proceeding that is provided to the victim by the agency responsible for providing notice. If advance notice is not possible, the employee is required to provide EMUHSD with a notice within a reasonable time of the proceeding.

Crime Victim's Leave is unpaid. Rather than taking unpaid leave, an employee may use accrued Paid Time Off or Sick Leave.

### **DOMESTIC VIOLENCE & SEXUAL ASSAULT VICTIM LEAVE ([4361.2 AR | Personal Leave](#))**

If an employee or an employee's family member (defined here as spouse, domestic partner, child, stepchild, sibling, stepsibling, mother, stepmother, father or stepfather) is the victim of domestic violence, sexual assault or stalking, time off may be necessary to ensure the health, safety, or welfare of the employee or the employee's child. This may include time off to:

- Obtain or attempt to obtain any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the associate or associate's child;
- Seek medical attention for the associate's injuries;
- Obtain services from a domestic violence shelter, program, or rape crisis center;
- Obtain psychological counseling;
- Participate in safety planning and take other actions to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation.

Domestic Violence and Sexual Assault Victim Leave is unpaid. Rather than taking unpaid leave, an employee may use accrued PTO or Sick Leave.

When possible, reasonable advance notice of the intention to take time off is required. When an unscheduled absence occurs, the associate, within a reasonable time after the absence, must provide one of the following to Human Resources:

- A police report indicating that the associate was a victim of domestic violence, sexual assault, or criminal stalking;
- A court order protecting or separating the associate from the perpetrator of an act of domestic violence, sexual assault, or criminal stalking, or other evidence from the court or prosecuting attorney that the associate appeared in court; or
- Documentation from a licensed medical professional, domestic violence counselor, sexual assault counselor, licensed health care provider, or counselor that the associate was undergoing treatment for physical or mental injuries or abuse resulting in victimization from an act of domestic violence, sexual assault, or criminal stalking.

### **EMERGENCY DUTY AND TRAINING LEAVE ([4361.2 AR | Personal Leave](#))**

If you are a Civil Service volunteer such as a firefighter, a reserve peace officer, emergency rescue personnel or a member of a disaster medical response team sponsored or requested by the state, you are eligible for unlimited unpaid leave for the duration of your deployment. You are also

allowed up to fourteen (14) days per calendar year for required training.

## **FAMILY & MEDICAL LEAVE** ([4361.8 AR | Family Care and Medical Leave](#))

### About Our Family and Medical Leave Policy

In compliance with the Family and Medical Leave Act (“FMLA”), as amended, and the California Family Rights Act (“CFRA”), you may be eligible for time off under our Family and Medical Leave policy.

The actual amount of time off that you may take will depend upon the reason for the leave and the amount of family and medical leave which you have already taken in the twelve month period immediately preceding your requested time off. Most family leave is limited to 12 weeks per year. Military Service Member Caregiver Leave (as defined) may be as much as 26 weeks.

All questions regarding leave entitlement and compensation while out on an approved family or medical leave must be directed to Human Resources.

### Eligibility Requirements

To be eligible for a family leave, you must:

- Have at least one (1) year of service;
- Have worked at least 1250 hours during the 12 months immediately prior to the date requested for leave; and
- Be employed at a worksite which employs 50 or more employees within 75 miles of your worksite.

### Permissible Uses of Family and Medical Leave

Our Family Leave policy offers you the time off for any one of several qualifying reasons, as authorized by law. During your employment, you may be eligible for leave under this policy for one or more of these reasons.

- Maternity and Paternity Leave** is available for the following reasons: (1) the birth of a child; (2) the adoption of a child; (3) the placement of a child in your home for foster care;
- Family and Medical Leave** is available for the following reasons: (1) you are needed to care for a parent, spouse (defined by the place of celebration), registered domestic partner, or child who is suffering from a serious health condition; or (2) you are unable to perform your essential job duties due to a serious health condition which is unrelated to your pregnancy or as a result of your having suffered a work related injury. (**NOTE:** If you need time off due to your pregnancy, childbirth or a related medical condition, or because you suffered a work related accident or injury, please consult our leave policies on pregnancy-related disability leave and occupational disability leave.)
- As used in this policy, the term “**serious health condition**” means any illness, injury, impairment, or physical or mental condition involving either an overnight stay in a medical care facility or continuing treatment by a health care provider for a condition that prevents an employee (or qualified relative under this policy) from performing their job functions or from participating in school or other daily activities. As used in this policy, the term “continuing treatment” means a period of incapacity of more than 3 consecutive calendar days or incapacity of any duration which is due to pregnancy or a chronic condition.
- Qualifying Exigency Leave** is available for the following reasons: when there is a “Qualifying Exigency” arising out of the fact that your spouse, registered domestic partner, child, or

parent is in the National Guard, Reserves, or any member of the Armed Forces who is on active duty or ordered to active duty in support of a contingency operation. For purposes of this policy, a “Qualifying Exigency” includes: (1) short-notice deployment, (2) military events and related activities, (3) childcare and school activities, (4) financial and legal arrangements, (5) counseling, (6) rest and recuperation, and (7) post-deployment activities.

- E. **Military Caregiver Leave** is available for the following reasons: you are needed to care for your spouse, registered domestic partner, son, daughter, parent, or next of kin who is a member of the Armed Forces, National Guard, Reserves or a Veteran (defined as a person who served in the active military, Naval, or Air Service, and who was discharged or released there from under conditions other than dishonorable). This leave is available only when the service member has suffered a serious injury or illness while in the line of duty and is undergoing medical treatment, recuperation, or therapy. This includes both inpatient and outpatient treatment or if the service member is on the temporary disability retired list. For purposes of this policy, a “serious injury or illness” incurred in the line of duty on active duty renders the service member medically unfit to perform the duties of office, grade, rank, or rating. For purposes of this policy, a “serious injury or illness” for a Veteran is one that manifested itself before or after the member became a Veteran and which occurred any time during the five years preceding the date of treatment.

### **Requests for Leave**

All requests for time off under this policy (or extensions) should be submitted to the immediate supervisor and then will be forwarded to Human Resources.

Where your need for time off under this policy is foreseeable, you must provide *at least* 30 days advance notice. When the leave is not foreseeable or it is not possible to supply a full 30 days advance notice, you must provide advance notice of your need for leave as soon as practicable. This means that you should notify EMUHSD of your need for time off as soon as you become aware that you will need to apply for this benefit.

You must provide complete and sufficient information to enable EMUHSD to evaluate whether the requested time off qualifies for leave under this policy. Please be sure to indicate if leave is being sought for a reason which EMUHSD has previously approved or certified.

### **Certification of the Need for Leave**

All requests for a medically related leave under this policy must be accompanied by the appropriate medical “Certification” form. This form may be obtained from Human Resources. It should be submitted to your health care provider (in the case of Medical Leave or Military Caregiver Leave) or the appropriate military personnel (in the case of qualifying exigency leave) and returned within 15 days. In most cases, we will not process your leave request until you return the completed medical certification. Please be aware that until the leave is officially approved, any time off may be deemed an unexcused absence. For extended absences, you may be required to submit periodic re-certifications of your need for leave.

If EMUHSD has any concerns over the medical certification you have submitted, EMUHSD may ask you to cooperate in obtaining a second or third medical opinion. Where a second or third medical opinion is requested, the cost of the examination will be paid by EMUHSD.

### **Scheduling of Leave**

If you are requesting baby bonding leave following a birth, adoption or foster placement, you must complete this leave within one (1) year of the birth, adoption or foster placement.

Leave may be taken intermittently or on a reduced leave schedule, where medically necessary.

Intermittent leave is when the leave is taken in increments, rather than all at once. A reduced leave schedule is where the leave is taken by reducing the number of hours you work daily or weekly, rather than being off entirely. Intermittent leave, reduced leave schedules and leaves which are foreseeable must be scheduled so as not to unduly disrupt EMUHSD's operations. Bonding leave may be taken intermittently or on a reduced schedule only if EMUHSD agrees and in amounts approved by EMUHSD.

If you need to take leave intermittently or on a reduced schedule basis, EMUHSD reserves the right to temporarily transfer you to an alternative position with equivalent pay and benefits while taking the leave

### **Maximum Duration of Leave**

All leaves under this policy will be counted as part of your annual entitlement to leave under the FMLA and/or the CFRA (where applicable). The maximum leave available for these purposes is 12 weeks during any 12-month period. Baby Bonding leave may be taken in two-week increments, and in increments of less than two weeks on two occasions. (NOTE: for Pregnancy Related Disability Leave, see our policy on Pregnancy Leave, which has special treatment under the CFRA).

When calculating the 12-week maximum, any other disability leave or family leave taken during the 12-month period immediately preceding your leave request will be included. The "12-month period" will be measured on the basis of a rolling 12-month period measured backward from the date your leave commences.

If both parents are employed by EMUHSD, they may take a maximum combined total of 12 workweeks of FMLA/CFRA bonding leave in a 12-month period.

Military Caregiver Leave also will be counted as part of your annual allotment of Family and Medical Leave. However, the maximum leave available for Military Caregiver Leave purposes is 26 weeks during a single 12-month period. When calculating the 26 week maximum, any other approved leave under this policy taken during the 12-month period will be included in determining how much leave time you have available. No more than a total of 26 workweeks of Military Caregiver Leave may be taken in any single 12-month period and, during that period, no more than 12 workweeks may be taken for other caregiver leaves. The "single 12-month period" for Military Caregiver Leave will be measured from the first day of your leave and ends 12 months later.

Where a married couple are employed by EMUHSD, they may take a maximum combined total of 26 workweeks of leave during the "single 12-month period" for Military Caregiver Leave.

Where both members of a married couple employed by EMUHSD request Family and Medical Leave at the same time, EMUHSD may require that the leave be taken at different times if the business needs of EMUHSD so require.

### **Outside Employment**

Leaves of absence put a strain on EMUHSD and are viewed as an important benefit. When you are on an approved leave, you may not work elsewhere. This includes volunteer work or other work where you may not be compensated. Outside employment during your leave will result in immediate termination.

### **Use of Paid Time Off**

Generally, approved time off under this policy will be *unpaid*. However, you may use any unused

earned PTO or paid sick leave to supplement your income while out on an approved family or medical leave under this policy. Similarly, EMUHSD may require that you utilize unused vacation and sick leave while out on an approved family or medical leave of absence.

### **Continuation of Health Insurance**

Generally, during any leave under this policy, EMUHSD will continue its normal contribution toward your health insurance premium for a maximum of 12 weeks during the applicable 12-month leave year. (NOTE: for Pregnancy Related Disability Leave, see our policy on Pregnancy Leave, which has special treatment under the CFRA).

In the case of Military Caregiver Leave, EMUHSD will continue its normal contribution toward your health insurance premium for a maximum of 26 weeks during that FMLA leave taken during the applicable single 12-month period.

You are required to continue to make your normal premium contribution during the entire leave of absence. Any insurance payment for which you are responsible must be made to the Benefits Office by the 1<sup>st</sup> of each month in which a premium is due. Failure to make such payment will result in the cancellation of your insurance.

If your request for leave under this policy is due to you having suffered a work-related illness or injury and your need for time off exceeds the twelve week maximum for Family and Medical Leave under this policy, EMUHSD will continue its normal contribution towards your health insurance premiums for a maximum of 6 months. Should this occur, you will be offered the opportunity to continue your group medical insurance under COBRA, in which case you would be responsible to pay the entire cost of our discounted group premium. Should that occur, you will receive written instructions from the Benefits Office.

We would appreciate as much advance notice as possible if you decide not to return to work upon the conclusion of your leave. Please note that if you do elect to resign your employment, you may be required to reimburse EMUHSD for all health insurance premiums paid by EMUHSD during your leave.

### **Other Benefits Cease Accruing**

During an approved leave under this policy, all benefits cease to accrue. In addition, you will not be eligible to accrue additional PTO for periods of unpaid leave. However, your leave of absence will not be deemed a break in your length of service.

### **Reinstatement**

When you are able to return to work, you should give EMUHSD at least two (2) weeks prior notice. This is important so that your return to work is properly scheduled. Upon your return, a doctor's certificate stating that you are physically able to return to your normal duties will be required.

In most cases, EMUHSD will reinstate you to your former (or equivalent) job with equivalent pay, benefits, and other employment terms upon the conclusion of your approved leave.

Reinstatement will be without loss of any employment benefit that accrued as of the date your leave commenced.

However, by law you have no greater right to reinstatement or to other benefits of employment than if you had continued to work during your leave. This means that you may not be reinstated if, for example, your job was eliminated for legitimate business reasons while you were out on leave. Also, EMUHSD may not be able to guarantee reinstatement to those who are salaried employees

who rank among the highest paid ten percent of all employees within a 75-mile radius and reinstatement would cause substantial and grievous economic injury.

If you are unable to return to work due to a disability after being out for the maximum period authorized by this policy, you may be entitled to additional time off under our disability accommodation or work related injury policies. Please consult the Director of Risk Management and Safety to discuss your personal situation and whether EMUHSD can reasonably accommodate your need for additional time off and/or a scheduling adjustment. At that juncture, decisions about additional time off and reinstatement will be made on a case-by-case basis.

### **District Responsibilities**

Within five business days of determining whether you qualify for leave under this policy, EMUHSD will notify you of its determination.

If you are eligible for leave under this policy, you will be told of any additional information required to complete the application, as well as your rights and responsibilities. At that time, you will also be told whether the time off will count against your annual entitlement to leave under applicable federal and state family leave laws and how that calculation will be made.

If EMUHSD determines that you are not eligible for leave under this policy, we will provide you with the reason why we have made this determination.

EMUHSD supports your legal right to ask for and use Family and Medical Leave as described in this policy. EMUHSD shall not interfere with, restrain, or deny you your rights under the FMLA/CFRA or discharge or discriminate against you for opposing any perceived violations of or participating in any proceeding relating to the Family and Medical Leave statutes. It is our goal to provide you with the time off you are entitled to take under this policy, as authorized by law. If, for any reason, you believe that you have not been afforded your full rights under the FMLA or CFRA, or that your rights under these laws have been violated, we encourage you to immediately report your concern in writing to Human Resources, setting forth the details of your concern. Human Resources shall immediately investigate the matter. If EMUHSD determines a violation has occurred, effective remedial action will be taken and any employee determined to be responsible for the violation will be subject to appropriate disciplinary action, up to and including termination.

If you believe that this procedure has not resolved your complaint or you do not wish to utilize this procedure, it is your right to file a complaint with the U.S. Department of Labor or file a private lawsuit. The FMLA does not affect any other laws prohibiting discrimination or supersede any other law or agreement which provides greater Family or Medical Leave rights. For more information, contact the U. S. Department of Labor at the phone number listed on EMUHSD's FMLA poster or by checking the Federal Government listings in the telephone directory.

### **JURY OR WITNESS DUTY ([4361.2 AR | Personal Leave](#))**

Unit members shall be eligible for leave of absence when regularly called for jury duty in the manner provided by law subject to the following provisions:

- (a) Leave shall be with pay. Employees who receive additional compensation for jury duty leave during this period will remit their jury fees to the District within ten (10) days following receipt of said fees.
- (b) Fees remitted to the District pursuant to Paragraph (a) above shall be placed in a separate account and divided equally among bargaining unit members who postpone their jury duty to

non-duty days and actually serve on such non-duty days.

All other jury duty leave is unpaid. Rather than taking unpaid leave, an employee who takes time off of work to serve on a jury or as a witness as required by law may use accrued PTO.

You should notify your immediate supervisor of the need for time off for jury duty as soon as a summons or notice from the court is received. Documentation and notice is required; and the employee is expected to report to work during scheduled hours when the jury is not meeting.

### **LEAVE REINSTATEMENT / EMPLOYMENT STATUS AFTER LEAVE**

([Human Resources Page](#) | [Employee Forms Tab](#))

For questions about any specific employee status upon return from leave, standard practices will apply. Please refer any questions to Human Resources.

### **MILITARY LEAVE** ([4361.5 AR](#) | [Military Leave](#))

A staff member entering military service of the United States will be provided all rights guaranteed by law. As a general principle, this means that you will generally be entitled to return to your position at EMUHSD after service in the armed forces under most conditions. Members of the National Guard or any branch of the Armed Forces Reserves who are required to attend the customary annual two-week training program will be granted a leave of absence, without pay, for the period required. For all military leaves, a completed leave of absence form along with a written request by the Commanding Officer of the unit or a copy of the official orders must be submitted to the immediate supervisor, unless providing notice is precluded by military necessity or is otherwise impossible or unreasonable.

### **OCCUPATIONAL DISABILITY LEAVE**

([4361.2 AR](#) | [Personal Leave](#))([4361.9 BP](#) | [Catastrophic Leave Program](#))

You will be eligible for an unpaid occupational disability leave of absence if you are unable to perform the essential job duties of your position due to a work-related serious health condition.

A leave of absence for an occupational disability shall be extended for the duration of the disability unless terminated earlier as the result of business realities or business necessity. Such leave will be considered part of your entitlement to leave under the Family and Medical Leave Act (FMLA) and the California Family Rights Act (CFRA).

EMUHSD will continue its normal contribution toward your health insurance premium for a maximum of 6 months. Insurance payments for which you are responsible must be made to EMUHSD by the 1st of each month in which the premium is due. Failure to make such payment will result in the cancellation of your insurance.

### **PREGNANCY DISABILITY LEAVE**

([4361.8 AR](#) | [Family Care and Medical Leave](#)) ([4361.8 E1 & E2](#) | [Family Care & Medical Leave](#))

Female employees are eligible for a disability leave of absence due to childbirth or pregnancy-related disability. A person is “disabled by pregnancy” if, in the opinion of her health care provider, the person is unable because of pregnancy to perform any one or more of the essential functions of their job or to perform any of these functions without undue risk to self, to the pregnancy’s successful completion, or to other persons. An employee also may be considered to be “disabled by pregnancy” if, in the opinion of her health care provider, the employee is

suffering from severe “morning sickness” or where the employee needs to take time off for: (1) prenatal or postnatal care; (2) bed rest; (3) gestational diabetes; (4) pregnancy-induced hypertension; (5) preeclampsia; (6) postpartum depression; (7) childbirth; (8) loss or end of pregnancy; and (9) recovery from childbirth, loss or end of pregnancy.

The pregnancy-related disability leave of absence will be for the period of disability up to a maximum of four (4) months (17 1/3 weeks). "Four months" is defined as one-third of a year or 17 1/3 weeks. For example, a full-time employee working 40 hours a week is entitled to 693 hours of leave; part-time employees working 20 hours per week are entitled to 346.6 hours of leave; and an employee who works 48 hours per week is entitled to 832 hours of leave

A request for Pregnancy Disability Leave (PDL) must be accompanied by a written Doctor’s statement at least one (1) week prior to the start date of the leave of absence, unless it is an emergency medical leave. A Doctor’s release to return to work is also required at least one (1) week prior to the expiration of the leave of absence before a staff member will be permitted to return to work. Staff members may take Pregnancy Disability on an intermittent basis, in blocks of time, or by reducing their normal weekly or daily work schedules.

In some cases, an employee may be eligible for an additional twelve (12) weeks of unpaid leave, under the CFRA, to bond with the employee’s new baby. For staff members whose pregnancy-related disability leave is one hundred (100) days (certificated) or five (5) months (classified) or less, or whose leave does not exceed one hundred (100) days (certificated) or five (5) months (classified) plus 12 workweeks for baby bonding leave (as discussed above), when eligible, EMUHSD will reinstate the employee to her former position upon her return from such leave unless prevented from doing so as a result of business necessity, in which case placement in a comparable position will be considered. For approved pregnancy-related disability leaves which exceeds one hundred (100) days (certificated) or five (5) months (classified), or which exceeds one hundred (100) days (certificated) or five (5) months (classified) plus 12 workweeks for baby bonding leave (as discussed above), when eligible, an employee's return to work will be subject to employment conditions at the time of return and EMUHSD’s leave of absence policies. EMUHSD makes every effort to accommodate the special needs of pregnant staff members during the period that the staff member remains actively employed.

For staff members on approved PDL, EMUHSD will continue its normal contribution for the staff member’s health insurance premium for the duration of the PDL. If a staff member is eligible for CFRA leave, and desires to take baby-bonding leave following expiration of PDL, EMUHSD will continue its normal contribution for the staff member’s health insurance premium for an additional 12 workweek period. The staff member is required to continue to make her normal employee contribution for that period as well.

### **SCHOOL ACTIVITIES LEAVE ([4361.2 AR | Personal Leave](#))**

Employees who are parents, stepparents, foster parents, grandparents, or guardians of one or more children who are under the care of a licensed child care provider or who are attending pre-school, nursery school, elementary, or secondary school may take off up to forty (40) hours per school year to attend school activities such as parent conferences, special programs, and the like, including to discuss the child’s possible suspension or expulsion and to find, enroll, or re enroll the child in a school or with a licensed childcare provider. Such time off may not exceed eight hours in any calendar month.

Additionally, employees may also use such time off to address a "child care provider or school

emergency" which is defined to mean that the child cannot remain in a school or with a child care provider due to any one of the following:

- The school or child care provider has requested that the child be picked up, or has an attendance policy, excluding planned holidays, that prohibits the child from attending or requires the child to be picked up from the school or child care provider;
- Behavioral or discipline problems;
- Closure or unexpected unavailability of the school or child care provider, excluding planned holidays;

or

- A natural disaster, including, but not limited to, fire, earthquake, or flood.

For one of the "emergencies" listed above, an employee is not limited to using only 8 hours in one month, but is still subject to the 40-hour per calendar year restriction.

Employees will be required to provide documentation supporting the need for taking time off under this policy.

The employee must advise their supervisor as soon as possible so that alternative arrangements can be made to cover the employee's work. If both parents/grandparents of a child are employed by EMUHSD, only one (1) may take time off to attend a particular school activity, unless sufficient notice is given and additional staff is available. The parent who first gives notice of a planned absence will have preference for time off.

While such leave is unpaid, employees may use any accrued but unused PTO while attending a child's school activities. The employee must obtain written verification from the school that the employee attended or participated in the school activity.

EMUHSD will not retaliate or in any manner discriminate against an employee for taking time off pursuant to this policy, provided the employee gives reasonable notice to EMUHSD that the employee is requested to appear in the school or has taken time off to participate in school activities.

### **SPOUSAL MILITARY DEPLOYMENT LEAVE ([4361.2 AR](#) | [Personal Leave](#))**

An employee who works more than twenty (20) hours per week whose spouse is a member of the Armed Forces, National Guard or Reserves who has been deployed during a period of military conflict is qualified for as many as 10 days of unpaid leave when their spouse/domestic partner is on leave from military deployment.

Requests for leave must be presented to your immediate supervisor within at least two (2) days of receiving official notice that your spouse will be on leave from deployment when you wish to take leave. You must also provide your immediate supervisor with written documentation certifying your spouse will be on leave from deployment.

### **VOTING LEAVE**

On the day of a statewide election, an employee may take off enough working time to enable one to vote if the employee would not otherwise have sufficient time outside of working hours to vote. Such time off shall be taken at the beginning or end of the regular working shift. An employee will be allowed a maximum of two hours leave without loss of pay. Where possible, the employee shall

give their manager at least two days' notice that time off to vote is needed.

## SECTION SEVEN - SAFETY AND WELFARE

### **Emergency Preparedness** ([3516 BP | Emergencies and Disaster Preparedness Plan](#))

Emergencies and disasters happen. They come in many forms, can occur anywhere at any time and run the gambit from natural causes such as illness, earthquakes, fires, floods, and severe storms to man-made causes such as an active shooter and chemical spills. Knowing how to react and respond in a time of crisis can go a long way to keeping you and your students out of harm's way. School emergency preparedness efforts and emergency plans help to keep students and staff safe.

As a first step, we recommend that you ensure that you and your family are prepared. Experts recommend that you ensure that your family has everything they need to be self-sufficient for five to seven days without regular utilities or services.

As School District employees, it is our collective responsibility to be sure that we are adequately prepared in the event of an emergency to minimize potential risk to ourselves, to our students and others. For this reason, employees are asked to be familiar with different emergency and disaster plans as well as to participate fully in District drills.

In addition, California Government Code Section 3100-3109 states in part: "It is hereby declared that the protection of the health and safety and preservation of the lives and property of the people of the state from the effects of natural, manmade, or war-caused emergencies which result in conditions of disaster or extreme peril to life, property, and resources is of paramount state importance...in protection of its citizens and resources, **all public employees are hereby declared to be disaster service workers...**"

Because we serve a population which is dependent on our services, we cannot abandon this critical responsibility. We need to be prepared to protect all of our students during an emergency.

### **Emergency/Disaster Drills** ([3516 BP | Emergencies and Disaster Preparedness Plan](#))

EMUHSD will conduct intermittent Fire Drills, Lockdown Drills, Disaster Drills and other Emergency Action exercises. Employees should refer to their school-specific Emergency Action Plans for information on roles, responsibilities and compliance with these important measures.

## **PROHIBITED CONDUCT**

EMUHSD takes its commitment to school safety extremely seriously. Employees of EMUHSD are expected to read and understand and uphold all safety guidelines, plans and policies. Employee conduct, which deliberately violates safety policies and procedures, or places members of the school community at a safety risk, is strictly prohibited. Employees should refer to their school-specific Safety Documents and the EMUHSD Illness and Injury Prevention Plan (IIPP) to ensure that their behavior is aligned with all safety initiatives.

### **Security and identification badges**

All staff must wear identification badges while working. In the event that your identification becomes lost or damaged, contact the Activities Office or Information Services for a replacement.

## **SUMMARY OF BLOODBORNE PATHOGEN PROGRAM** ([Risk Management Page](#))

In addition to a general knowledge of safe practices, school employees should be knowledgeable about the District’s Exposure Control Plan (Page 49 of the [EMUHSD Illness Prevention Program Document LINK](#) | Bloodborne Pathogens Section). This Plan, written in compliance with 8 CCR 5193 is designed to prevent or minimize employee exposure to blood and other potentially infectious materials (OPIM) such as contaminated human fluids or materials that may be infected with human immunodeficiency virus (HIV), hepatitis B virus (HBV) or hepatitis C virus (HCV). The plan specifies who is covered by the Plan, the type of controls that you should adopt to reduce your risk of exposure, how to safely clean and decontaminate the workplace, what to do with regulated waste, how exposure incidents should be reported, and what steps to take if there is a potential exposure. Bloodborne Pathogen training is part of EMUHSD annual mandatory training. If you are not familiar with this Plan, please ask your Manager or Human Resources for a copy of this important document.

## **WORKERS COMPENSATION AND INJURY REPORTING** ([Risk Management Page](#))

Work-related injuries and illnesses should be reported immediately to your direct supervisor. Please complete an Injury & Illness Incident Report form. For assistance in reporting Injuries and Illnesses, you may contact the Risk Management Office at extension 9833 or 9825.

## **WORKPLACE VIOLENCE** ([4357 BP](#) | [Employee Safety](#))

The **EL MONTE UNION HIGH SCHOOL DISTRICT (EMUHSD)** has developed the Workplace Violence Prevention Program to address hazards known to be associated with the four major types of workplace violence as defined by [§Senate Bill 553](#).

Type 1	Workplace violence committed by a person who has no legitimate business at the workplace/school, and includes violent acts by anyone who enters the workplace/school or approaches workers with the intent to commit a crime
Type 2	Workplace violence directed at employees by customers, clients, patients, students, inmates, or visitors
Type 3	Workplace violence against an employee by a present or former employee, supervisor, or manager
Type 4	Workplace violence committed in the workplace by a person who does not work there, but has or is known to have had a personal relationship with employee

Threat of Violence means any verbal or written statement, including but not limited to texts, electronic messages, social media messages, or other online posts, or any behavioral or physical conduct, that conveys an intent, or that is reasonably perceived to convey an intent, to cause

physical harm or to place someone in fear of physical harm, and that serves no legitimate purpose.

Without fear of reprisal, district employees may report violent incidents, threats, or other workplace violence concerns to their site administrator or law enforcement. In accordance with Senate Bill 553. In an emergency, call 911.

Workplace violence does not include lawful acts of self-defense or defense of others.

## SECTION EIGHT – OTHER DISTRICT POLICIES

### **FIELD TRIP POLICIES** ([6153 BP | School-Sponsored Trips](#))

Students on school-sponsored trips are under the jurisdiction of the District and shall be subject to District and school rules and regulations. Students must have written parental permission in order to participate in trips requiring transportation. The District shall provide an alternative educational experience for students whose parents/guardians do not wish them to participate in a trip. The Superintendent or designee shall ensure that adequate supervision is provided and that there is an appropriate ratio of adults to students present on the trip.

All persons making the field trip or excursion shall be deemed to have waived all claims against the District of the State of California for injury, accident, illness, or death occurring during or by reason of the field trip or excursion. The District shall make available medical and/or hospital insurance for students injured while participating in any excursion or field trip.

#### **Safety and First Aid**

While conducting a trip, the teacher, employee or agent of the school shall have the school's first aid kit in his/her possession or immediately available. Whenever trips are conducted in areas known to be infested with poisonous snakes:

1. The first aid kit taken on the trip shall contain medically accepted snakebite remedies.
2. The trip shall be accompanied by a teacher, employee or agent of the school who has completed a first aid course which is certified by the American Red Cross and which emphasizes the treatment of snakebites.

If the Superintendent or designee receives threat level warnings from the Homeland Security Advisory System pertaining to the destinations of a school sponsored trip, they shall implement precautions necessary to protect the safety of students and staff

#### **Supervision**

1. Students on approved trips are under the jurisdiction of the Board of Trustees and subject to school rules and regulations.
2. Teachers or other certificated personnel shall accompany students on all trips and shall assume responsibility for their proper conduct.
3. Before the trip, teachers shall provide any adult chaperones who may accompany the students with clear information regarding their responsibilities.
4. Chaperones shall be 21 years of age or older.
5. Chaperones shall be assigned a prescribed group of students and shall be responsible for the continuous monitoring of these students' activities.
6. Teachers and chaperones shall not consume alcoholic beverages or use controlled substances while accompanying and supervising students on a trip.
7. When a trip is made to a place of business or industry, the teacher shall arrange for an employee of the host company to serve as conductor.

#### **Trip Approval**

1. Teachers planning a trip shall make a request in writing to the principal at least 10 days prior to the date desired. Whenever practical, an alternate date should also be listed. The purpose of the trip and its relation to the course of study shall be stated in the request.

2. The principal or designee shall approve or disapprove the request and notify the teacher. If the trip is disapproved, the principal should state the reasons.
3. Principals or designees may exclude from the trip any student whose presence on the trip would pose a safety or disciplinary risk.
4. Principals or designees shall approve no activities which they consider to be inherently dangerous to students or to pose unacceptable, unmitigated risks.

### **Trips Which Include Swimming or Wading**

1. No swimming shall be allowed on trips unless planned and approved in advance.
2. When swimming in the ocean, bay, river or other body of water as part of a planned, supervised outdoor education activity, teachers shall provide for a number of chaperones of at least a one to 10 ratio and shall instruct both chaperones and students of the real and potential risks inherent in such activities and the precautions necessary for their safety.
3. Swimming Activities
  - a. Parents/guardians must provide written permission for the student to swim and must indicate the student's swimming ability.
  - b. Swimming facilities, including backyard pools, must be inspected by the principal or designee and teacher before the trip is scheduled.
  - c. Owners of private pools must provide a certificate of insurance, designating the District as an additional insured, for not less than \$500,000 in liability coverage.
  - d. Lifeguards must be designated for all swimming activities. If lifeguards are not provided by the pool owner or operator, the principal or designee shall ensure their presence. Lifeguards must be Red Cross certified or equivalent and must be at least 21 years old.
  - e. The ratio of adult chaperones to students shall be at least one to 10.
  - f. Specific supervisory responsibilities shall be determined in advance to accommodate the varying swimming abilities of students.
  - g. Emergency procedures shall be included with written instructions to adult chaperones and staff.
  - h. Staff and chaperones assigned to supervise students must know how to swim.
  - i. The principal or designee may require students to wear flotation devices, depending upon their swimming ability.
  - j. A buddy-system or other means of surveillance shall be arranged in advance and strictly enforced during swimming activities.

### **PROFESSIONAL ATTIRE ([4119.22 BP | Dress and Grooming](#))**

The Board believes that appropriate dress and grooming by District employees contribute to a productive learning environment and model positive behavior. During school hours and at school activities, employees shall maintain professional standards of dress and grooming that demonstrate their high regard for education, present an image consistent with their job responsibilities and assignment, and not endanger the health or safety of employees or students. All employees shall be held to the same standards unless their assignment provides for modified dress as approved by their supervisor.