

**THE NATIONAL HISPANIC
UNIVERSITY**

EMPLOYEE HANDBOOK

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THE NATIONAL HISPANIC UNIVERSITY

MISSION STATEMENT

The mission of The National Hispanic University is to enable Hispanics, other minorities, women, and others to acquire an undergraduate degree or certificate using a multicultural experience to obtain a professional career in business, education, or technology.

The National Hispanic University is dedicated to the challenges of meeting the unique requirements of its students. The purpose of providing the opportunity for a multicultural education to qualified individuals is expressed in all phases of the University's operations, from the selection of professors to the design of the curriculum. The undergraduate academic programs give the students a background in general studies as well as specialized knowledge in a chosen field. While the National Hispanic University realizes the necessity of offering students a large quantity of available information, we believe that our primary task is to develop students' abilities in critical thinking and discovery.

FUNDAMENTAL VALUES

La Familia: We see NHU as a family where students, faculty and staff feel connected and where they share high expectations, feelings, and have a sense of belonging. Family members want the best for each other and provide support to overcome barriers that prevent achievement of goals. Family members seek the best from each other and expect everyone to be responsible, hard working, and caring.

Si Se Puede: We believe in each person's desire to obtain an education to define his or her future and in his or her ability to succeed. Despite obstacles or what others say cannot be done, NHU invests in each person and that person's desire for learning and achievement. We value what the person brings to the University and their will to realize their dreams. We value the need for people to see others as role models, others that have common experiences and common desires. We are committed to providing the personal, academic, and nurturing support that students need in order to succeed.

Integrity: The institution provides an atmosphere of integrity as it relates to its staff, faculty, and students. As administrators, teachers, students, scholars, and mentors we perform our roles with honesty and forthrightness encouraging in each other the highest ethics of communication, reliance on evidence, and relationships.

Language and Culture: We celebrate the language and culture each student brings to the education enterprise and view them as assets. For NHU, language and culture are at the core of being and the University recognizes being as essential to the future of every individual.

Student Centered Learning: We honor students as the cornerstones of our activity. Student ideas, desires, and knowledge are the foundation of the University and we strive to acknowledge every student as an individual human being with an authentic experience.

Diversity: NHU celebrates and wants all students to understand and effectively operate in a diverse society. We are not simply seeking to have a diverse student body, but a diverse, understanding, and serving student body that can go anywhere, meet anyone, and be able to empathize, understand, and contribute.

Service Learning: We want all of NHU graduates to serve their families, communities, and societies and to understand their greatest contribution to their fellow man is to reach out and try to help provide solutions to problems in the community.

Innovation: NHU prides itself in tackling the most difficult social problems, meeting peoples' needs and not being afraid to solve problems often deemed unsolvable by society. With this in mind, NHU is committed to ongoing inquiry and innovation that addresses obstacles prohibiting success for Hispanics and other minorities.

MESSAGE FROM THE PRESIDENT

Welcome! As an employee of The National Hispanic University, you are an important member of a team effort. We hope that you will find your position with NHU rewarding, challenging, and productive. Because our success depends upon the dedication of our employees, we are highly selective in choosing new members of our team. We look to you and the other employees to contribute to the success of NHU.

This employee handbook is intended to explain the terms and conditions of employment of all employees and supervisors. Written employment contracts between NHU and some individuals may supersede some of the provisions of this handbook.

This handbook summarizes the policies and practices in effect at the time of publication. This handbook supersedes all previously issued handbooks and any policy or benefit statements or memoranda that are inconsistent with the policies described here. The human resources office will be happy to answer any questions you may have.

Welcome to our familia!

Dr. David P. Lopez

I. ESSENTIAL LEGAL PROVISIONS

RIGHT TO REVISE

This employee handbook contains the employment policies and practices of The National Hispanic University (NHU) in effect at the time of publication. All previously issued handbooks and any inconsistent policy statements or memoranda are superseded.

NHU reserves the rights to revise, modify, delete, or add to any and all policies, procedures, work rules, or benefits stated in the handbook or in any other document, except for the policy of at-will employment. However, any such changes must be in writing and signed by the President.

Any written changes to this handbook will be distributed to all employees so that employees will be aware of the new policies or procedures. No oral statements or representations can in any way alter the provisions of this handbook.

This handbook sets forth the entire agreement between you and The National Hispanic University as to the duration of employment and the circumstances under which employment may be terminated. Nothing in this employee handbook or in any other personnel document, including benefit plan descriptions, creates or is intended to create a promise or representation of continued employment for any employee.

EMPLOYMENT AT-WILL

The National Hispanic University (NHU) personnel are employed on an at-will basis. Employment at-will may be terminated with or without cause and with or without notice at any time by the employee or The National Hispanic University. Nothing in this handbook shall limit the right to terminate at-will employment. No manager, supervisor, or employee of NHU has any authority to enter into an agreement for employment for any specified period of time or to make an agreement for employment on other than at-will terms. Only the President and Provost of NHU have the authority to make any such agreement, which is binding only if it is in writing.

EQUAL EMPLOYMENT OPPORTUNITY

The National Hispanic University (NHU) is an equal opportunity employer and makes employment decisions on the basis of merit. We want to have the best available persons in every job. NHU policy prohibits unlawful discrimination based on race, color, creed, gender, religion, marital status, age, national origin or ancestry, physical or mental disability, medical condition including genetic characteristics, sexual orientation, or any other consideration made unlawful by federal, state, or local laws. It also prohibits unlawful discrimination based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics. All such discrimination is **unlawful**.

NHU is committed to compliance with all applicable laws providing equal employment opportunities. This commitment applies to **all** persons involved in the operation of NHU and prohibits unlawful discrimination by any employee of NHU, including supervisors and coworkers.

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

Any applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact the human resources office and request such an accommodation. The individual with the disability should specify what accommodation he or she needs to perform the job. NHU then will conduct an investigation to identify the barriers that interfere with the equal opportunity of the applicant or employee to perform his or her job. NHU will identify possible accommodations, if any, that will help eliminate the limitation. If the accommodation is reasonable and will not impose an undue hardship, NHU will make the accommodation.

If you believe you have been subjected to any form of unlawful discrimination, submit a written complaint to your supervisor or the individual with day-to-day personnel responsibilities. Your complaint should be specific and should include the names of the individuals involved, the names of any witnesses, and the date of the incident. If you need assistance with your complaint, or if you prefer to make a complaint in person, contact the human resources office. NHU will immediately undertake an effective, thorough, and objective investigation and attempt to resolve the situation.

If NHU determines that unlawful discrimination has occurred, effective remedial action will be taken commensurate with the severity of the offense. Appropriate action also will be taken to deter any future discrimination. NHU will not retaliate against you for filing a complaint and will not knowingly permit retaliation by management, employees or your coworkers.

UNLAWFUL HARASSMENT

The National Hispanic University is committed to providing a work environment free of unlawful harassment. NHU policy prohibits sexual harassment, and harassment based on pregnancy, childbirth or related medical conditions, race, religious creed, color, gender, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation or any other basis protected by federal, state or local law or ordinance or regulation. ***All such harassment is unlawful.*** The University's anti-harassment policy applies to all persons involved in the operation of the University and prohibits unlawful harassment by any employee of the University, including supervisors, co-workers and any other persons. It also prohibits unlawful harassment based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics.

Prohibited unlawful harassment includes, but is not limited to, the following behavior:

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

Complaint Procedure

If you believe that you have been unlawfully harassed, confront the harasser and ask him/her to stop. If you are unable to confront the harasser or are unsuccessful in doing so, file a complaint with your own supervisor (or any other University supervisor if the complaint is against your supervisor), the human resources office, or the President of the University as soon as possible after the incident. Make your complaint in writing if possible. Include details of the incident or incidents, names of the individuals involved, and names of any witnesses. Supervisors will refer the complaints to the human resources office or investigative officer. Complaints involving students will be referred to Student Affairs. The University will immediately undertake an effective, thorough, and objective investigation of the harassment allegations.

If the University determines that unlawful harassment has occurred, effective remedial action will be taken in accordance with the circumstances involved. Any employee determined by the University to be responsible for unlawful harassment will be subject to appropriate disciplinary action, up to, and including termination. The University will take appropriate action to remedy any loss to you resulting from harassment. The University will not retaliate against you for filing a complaint and will not tolerate or permit retaliation by management, employees or co-workers.

The University encourages all employees to report any incidents or harassment forbidden by this policy *immediately* so that complaints can be quickly and fairly resolved. You also should be aware that the Federal Equal Employment Opportunity Commission and the California Department of Fair Employment and Housing investigate and prosecute complaints of prohibited harassment in employment. If you think you have been harassed or that you have been retaliated against for resisting or complaining, you may file a complaint with the appropriate agency. The nearest office is listed in the telephone book.

II. EMPLOYMENT POLICIES AND PRACTICES

CLASSIFICATION

New Hires

The first six months of continuous employment at The National Hispanic University is considered an introductory period. During this time you will learn your responsibilities, get acquainted with fellow employees, and determine whether or not you are happy with your job. Your supervisor will closely monitor your performance.

During the introductory period, your supervisor will explain your job responsibilities and the performance standards expected of you. Be aware that your job responsibilities may change at any time during your employment. From time to time, you may be asked to work on special projects, or to assist with other work necessary or important to the operation of your department or NHU. Your cooperation and assistance in performing such additional work is expected.

NHU reserves the right, at any time, with or without notice, to alter or change job responsibilities, reassign or transfer job positions, or assign additional job responsibilities.

Upon completion of the introductory period, NHU will review your performance. If NHU finds your performance satisfactory and decides to continue your employment, it will advise you of any improvements expected from you. At that time, you may express suggestions to improve NHU's efficiency and operations. Completion of the introductory period does not entitle you to remain employed by NHU for any definite period of time, but rather allows both you and NHU to evaluate whether or not you are right for the position.

Regular Employees

Regular employees are those who are hired to work on a regular schedule. Regular employees may be classified as full-time or part-time.

Full-time Employees

Full-time employees are those who are scheduled for and do work 37.5 hours per week. This also includes employees scheduled to work 40 hours per week. Both are considered full-time.

37.5 hours = 9:00am – 5:00pm with a ½ hour lunch break. Variations of start and end times are based on the needs of each department; however, hours worked must be no less than 7.5 hours each workday for full-time employees.

Part-time Employees

Part-time employees are those who are scheduled for and do work fewer than 37.5 hours per week.

Temporary Employees

Temporary employees are those employed for short-term assignments. Short-term assignments generally are periods of three months or fewer; however, such assignments may be extended. Temporary employees are not eligible for employee benefits except those mandated by applicable law.

Exempt and Non Exempt Status

Exempt and Non Exempt status is determined by the Fair Labor Standards Act (FLSA). Determination is not based on job title, but rather on job duties performed and several other criteria.

EXEMPT EMPLOYEES

Exempt employees are employees who, based on duties performed, are exempt from overtime provisions.

Exempt employees shall be paid an established salary and are expected to fulfill the duties of their positions regardless of hours worked. The workweek for a full time exempt employee is normally 37.5 hours, however, greater emphasis is placed on meeting the responsibilities assigned to the position than on working a specified number of hours.

Exempt employees must turn in time sheets for payroll purposes.

Reduced Salary for Exempt Employees

Salaried employees will receive their salary for any week in which they perform any work. For purposes of this salary pay policy, a week is Sunday 12:01a.m. through Saturday midnight. An employee will receive his or her full salary for any week in which an employee does any work, subject to the following rules:

- An employee's salary may be reduced for complete days of absence due to sick leave, vacations, and personal leave, before sick leave and vacation benefits accrue or after they are exhausted, and incomplete initial and final weeks of work; and
- An employee's salary will not be reduced due to partial weeks of work due to service as a juror, witness, or in the military, or for lack of work.

This salary pay policy is intended to comply with the salary pay requirements of the Fair Labor Standards Act and shall be construed in accordance with the Act. Employees are encouraged to direct any questions concerning their salary pay to the human resources office so that any inadvertent error can be corrected.

NON-EXEMPT EMPLOYEES

Non-Exempt employees are employees who, based on duties performed, qualify for overtime and are subject to all Fair Labor Standards Act (FLSA) provisions. Work beyond eight hours per day or 40 hours per week is subject to overtime pay.

Rest Breaks

Rest breaks are provided at the rate of not less than 10 consecutive minutes for each four hours (or major portion thereof) worked, occurring as near as possible to the middle of the work period. You may not combine rest breaks or add them to meal breaks. Nor may they be used to come in 10 minutes late or leave 10 minutes early. Break times are paid.

Hours of Work	Rest Breaks
0 - 3.5	0
3.5 – 6.0	1
6.0 – 10.0	2
10.0 – 14.0	3
14.0 – 18.0	4

Meal Periods

A meal break of at least ½ hour is provided for every work period of more than five hours. However, if six hours of work complete the day's work, the employee may voluntarily choose not to take the meal break; otherwise, the employee is required to take at least ½ hour meal break. A second meal break of at least ½ hour will be provided for all workdays on which an employee works more than 10 hours. Meal breaks may be up to one hour in length, based on the discretion of the department head. Meal periods are unpaid.

Overtime

NHU provides compensation for all overtime hours worked by non-exempt employees in accordance with state and federal law as follows:

- All hours worked in excess of eight hours in one workday or 40 hours in one workweek will be treated as overtime. A workday begins at 12:01a.m. and ends at midnight 24 hours later. Workweeks begin each Sunday at 12:01a.m.;
- Compensation for hours in excess of 40 for the workweek, or in excess of eight and not more than 12 for the workday, and for the first eight hours on the seventh consecutive day of work in one workweek, shall be paid at a rate one-half times the employee's regular rate of pay;
- Compensation for hours in excess of 12 in one workday and in excess of eight on the seventh consecutive workday in a workweek shall be paid at double the regular rate of pay; and
- Exempt employees may have to work hours beyond their normal schedules, as work demands require. No overtime compensation will be paid to exempt employees.

Non-exempt employees are required to account for all time worked on an hourly and fractional hourly basis. While NHU is required to pay unapproved overtime, working unapproved overtime is grounds for termination.

MAKEUP TIME

The National Hispanic University allows the use of makeup time when non-exempt employees need time off to tend to personal obligations. Employees may take time off and then make up the time later in the same workweek, or may work extra hours earlier in the workweek to make up for time that will be taken off later in the workweek. **Makeup time worked will not be paid at an overtime rate.**

Makeup time requests must be submitted in writing to your supervisor, with your signature, on the form provided by the University. Requests will be considered for approval based on the legitimate business needs of the University at the time the request is submitted. A separate written request is required for each occasion the employee requests makeup time. Exception: If you know in advance that you will be requesting makeup time for a personal obligation that will recur at a fixed time over a succession of weeks, you may request to make up work time for up to four weeks in advance. The makeup work must be performed in the same week that the work time was lost.

If you request time off that you will make up later in the week, you must submit your request at least 24 hours before the desired time off. If you ask to work makeup time first to take time off later in the week, you must submit your request 24 hours before working the makeup time. **Your makeup time request must be approved in writing before you take the requested time off or work makeup time whichever is first.**

All makeup time must be worked in the same workweek as the time taken off. The National Hispanic University's seven-day workweek is Sunday 12:01a.m. through Saturday midnight.

You may not work more than 11 hours in a day or 40 hours in a workweek as a result of making up time that was or would be lost due to a personal obligation.

If you take time off and are unable to work the scheduled makeup time for any reason, the hours missed normally will be unpaid. However, your supervisor may arrange with you another day to make up the time if possible, based on scheduling needs. If you work makeup time before you plan to take off, you must take that time off, even if you no longer need the time off for any reason.

An employee's use of makeup time is completely voluntary. NHU does not encourage, discourage, or solicit the use of makeup time.

PAYMENT OF WAGES

Paydays are scheduled on the fifth and 20th of the month for the semi-monthly pay periods ending on the 15th and last day of the month. Payday for the pay period ending on the 15th is the 20th; payday for the pay period ending on the last day of the month is the fifth. When payday falls on a Saturday, paychecks will be released on Friday at 3:00pm. When payday falls on a Sunday, paychecks will be released on Monday at 3:00pm. When payday falls on a holiday, paychecks will be released on the day before the holiday, unless the holiday is a Monday and in that case, paychecks will be released the following day.

Paychecks are normally available at 3:00pm at the business office. If you observe an error on your check, please report it immediately to your supervisor, the finance office or the human resources office.

Time sheets must be submitted by 5:00pm on the 15th and last day of each month.

Please refer to the Finance Office Policies and Procedures Manual for details.

Should eligible employees elect dependent coverage under any NHU insurance plan, the cost of that coverage will be deducted from your paycheck each pay period. If you decide to make any voluntary contributions to a pension plan, and/or if you elect any other voluntary benefits, the appropriate amount will be deducted from your paycheck each pay period.

NHU offers automatic payroll deposit for its regular employees. Further information is available in the human resources office or the finance office.

PERSONNEL RECORDS

It is important that all personnel files contain current information regarding each employee. It is the responsibility of each employee to make sure that the personnel data in his or her file is accurate and up to date. Report any change of address, phone number, name, filing status, etc., to the human resources office by completing the required change forms. All change forms must be submitted to the human resources office.

You have a right to inspect certain documents in your personnel file, as provided by law, in the presence of an NHU representative at a mutually convenient time. You may add your comments to any disputed item in the file.

NHU will restrict disclosure of your personnel file to authorized individuals within NHU. Any request for information contained in personnel files must be directed to the human resources office. Only the human resources office is authorized to release information about current or former employees. Disclosure of personnel information to outside sources will be limited. However, NHU will cooperate with requests from authorized law enforcement or local, state, or federal agencies conducting official investigations and as otherwise legally required.

NAMES AND ADDRESSES

NHU is required by law to keep current all employee's names and addresses. Employees are responsible for notifying the human resources office in the event of a name or address change. Post Office boxes are not acceptable for tax purposes. If you use a P.O. Box for correspondence, please provide an alternative mailing address for tax purposes.

EMPLOYMENT REFERENCES

All requests for references must be directed to the human resources office. No other manager, supervisor, or employee is authorized to release references for current or former employees. By policy, NHU discloses only the dates of employment and the title of the last position held of former employees. If you authorize the disclosure in writing, NHU also will inform prospective employers of the amount of salary or wage you last earned.

PERFORMANCE EVALUATIONS

Each employee will receive periodic performance reviews conducted by his or her supervisor. Your first performance evaluation will take place after completion of your introductory period. Subsequent performance evaluations will be conducted annually. The frequency of performance evaluations may vary depending upon length of service, job position, past performance, changes in job duties, or recurring performance problems.

Your performance evaluations may review factors such as the quality and quantity of the work you perform, your knowledge of the job, your initiative, your work attitude, and your attitude toward others. The performance evaluations are intended to make you aware of your progress, areas for improvement, and objectives or goals for future work performance. Favorable performance evaluations do not guarantee increases in salary or promotions. Salary increases and promotions are solely within the discretion of NHU and depend upon many factors in addition to performance. After the review, you will be required to sign the evaluation report simply to acknowledge that it has been presented to you, that you have discussed it with your supervisor, and that you are aware of its contents.

EMPLOYMENT OF RELATIVES

Relatives of trustees or employees may be eligible for employment with NHU only if the individuals concerned will not work in a direct supervisory relationship, or in job positions in which a conflict of interest could arise. NHU defines “relatives” as spouses, children, grandparents, grandchildren, parents, siblings, in-laws, and step-relatives.

Present employees who marry or become related will be permitted to continue working in the job position held only if they do not work in a direct supervisory relationship with one another or in job positions involving a conflict of interest. If employees who marry or who become related work in a direct supervisory relationship with one another, only one of the employees will be retained with NHU unless reasonable accommodations can be made to eliminate the actual or potential problems. The employees will have 30 days to decide which relative will stay with NHU. If this decision is not made within the time allowed, the president of the University will make the decision, taking the employment history and job performance of both employees into account.

Exception to the above provisions may be granted only by the unanimous vote of the Board of Trustees after full disclosure of the relationship.

OPEN DOOR POLICY

Suggestions for improving NHU are always welcome. At some time, you may have a complaint, suggestion, or question about your job, your working conditions, or the treatment you are receiving. Your good-faith complaints, questions, and suggestions also are of concern to NHU. We ask you to first discuss your concerns with your supervisor, following these steps:

1. Within a week of the occurrence, bring the situation to the attention of your immediate supervisor, who will then investigate and provide a solution or explanation;
2. If the problem persists, you may describe it in writing and present it to the human resources office, which will investigate and provide a solution or explanation. We encourage you to bring the matter to human resources as soon as possible after you believe that your immediate supervisor has failed to resolve it; and
3. If the problem is not resolved, you may present the problem in writing to the president of NHU, who will attempt to reach a final resolution.

This procedure, which we believe is important for both you and NHU, cannot guarantee that every problem will be resolved to your satisfaction. However, NHU values your observations and you should feel free to raise issues of concern, in good faith, without fear of retaliation.

CONFLICTS OF INTEREST

All employees must avoid situations involving actual or potential conflict of interest. Personal or romantic involvement with a competitor, supplier, or subordinate employee of NHU, which impairs an employee's ability to exercise good judgment on behalf of NHU, creates an actual or potential conflict of interest. Supervisor-subordinate romantic or personal relationships also can lead to supervisory problems, possible claims of sexual harassment, and morale problems.

An employee involved in any of the types of relationships or situations described in this policy should immediately and fully disclose the relevant circumstances to his or her immediate supervisor, or human resources office, for a determination about whether a potential or actual conflict exists. If an actual or potential conflict is determined, NHU may take whatever corrective action appears appropriate according to the circumstances. Failure to disclose facts shall constitute grounds for disciplinary action, up to, and including termination.

Conducting Personal Business

Employees are to conduct only NHU business while at work. Employees may not conduct personal business or business for another employer during their scheduled working hours.

Additional Employment and Off-duty Conduct

While NHU does not seek to interfere with the off-duty and personal conduct of its employees, certain types of off-duty conduct may interfere with NHU's legitimate business interests. For this reason, employees are expected to conduct their personal affairs in a manner that does not adversely affect NHU's or their own integrity, reputation or credibility. Illegal or immoral off-duty conduct by an employee that adversely affects NHU's legitimate business interests or the employee's ability to perform his or her job will not be tolerated.

The following types of employment elsewhere are strictly prohibited:

- Additional employment that conflicts with an employee's work schedule, duties, and responsibilities at NHU;
- Additional employment that creates a conflict of interest or is incompatible with the employee's position with NHU;
- Additional employment that impairs or has a detrimental effect on the employee's work performance with NHU;
- Additional employment that requires the employee to conduct work or related activities on NHU's property during the employer's working hours or using NHU's facilities and/or equipment; and
- Additional employment that directly or indirectly competes with the business or the interests of NHU.

Employees who wish to engage in additional employment that may create a real or apparent conflict of interest must submit a written request to the human resources office explaining the details of the additional employment. If the additional employment is authorized, NHU assumes no responsibility for it. NHU shall not provide worker's compensation coverage or any other benefit for injuries occurring from or arising out of additional employment. Authorization to engage in additional employment can be revoked at any time.

TERMINATION

Voluntary Termination

Voluntary termination results when an employee voluntarily resigns his or her employment, fails to return from an approved leave of absence on the designated date, or fails to report to work for three consecutively scheduled workdays without notice to, or approval by, his or her supervisor. All NHU-owned property, including keys, identification badges, credit cards, laptops, cell phones, etc., must be returned immediately upon termination of employment.

All wages and accrued vacation earned but unpaid for an employee who quits with more than 72 hours notice to NHU will be paid on the last day of work.

All wages and accrued vacation earned but unpaid for an employee who quits with fewer than 72 hours notices to NHU will be paid not later than 72 hours after notice is given. An employee who gives fewer than 72 hours notice is entitled to receive his/her final wage payment by mail if he/she so requests and designates a mailing address. The date of mailing is considered the date of payment for purposes of the 72 hour requirement. If there is no request for mailing, the final paycheck will be held until it is picked up.

The payment deadlines for final wages do not apply to reimbursement of expenses.

Involuntary Termination and Progressive Discipline

Violation of University policies and rules may warrant disciplinary action. NHU has established a system of progressive discipline that includes verbal warnings and written warnings. The system is not formal and NHU may, in its sole discretion, utilize whatever form of discipline is deemed appropriate under the circumstances, up to, and including, termination of employment. NHU's policy of progressive discipline in no way limits or alters the at-will employment relationship.

All wages and accrued vacation earned but unpaid will be paid immediately when an employee is terminated.

The payment deadlines for final wages do not apply to reimbursement of expenses.

Reorganization, Economics, or Lack of Work

Under some circumstances, NHU may need to restructure or reduce its workforce. If restructuring our operations or reducing the number of employees becomes necessary, NHU will attempt to provide advance notice, if possible, to help prepare affected individuals.

In determining which employees will be subject to termination, NHU will take into account, among other things, operation and requirements, the skill, productivity, ability, and past performance of those involved, and also, when feasible, the employee's length of service.

III. STANDARDS OF CONDUCT

CONFIDENTIALITY

Each employee is responsible for safeguarding the confidential information obtained during employment. In the course of your work, you may have access to confidential information regarding NHU, its suppliers, its customers, its students, or its employees. You have the responsibility to prevent revealing or divulging any such information unless it is necessary for you to do so in the performance of your duties. Access to confidential information should be on a “need-to-know” basis and must be authorized by your supervisor. Any breach of this policy will not be tolerated and legal action may be taken by NHU.

AGREEMENT NOT TO DISCLOSE OR USE TRADE SECRETS

During their term of employment with NHU, employees may have access to and become acquainted with information of a confidential, proprietary, or secret nature that is or may be either applicable or related to the present or future business of NHU, its research and development, or the business of its customers. For example, trade secret information includes, but is not limited to, devices, secret inventions, processes and compilations of information, records, specifications, and information concerning customers, vendors, students, or trustees. Employees shall not disclose any of the above-mentioned trade secrets, directly or indirectly, or use them in any way, either during the term of their employment or at any time thereafter, except as required in the course of employment with the company. The above agreement should not be construed as constituting a promise of continued employment for at-will employment purposes.

PUNCTUALITY AND ATTENDANCE

As an employee of NHU, you are expected to be punctual and regular in attendance. Any tardiness or absence causes problems for your fellow employees and your supervisor. When you are absent, others must perform your assigned work.

Employees are expected to report to work as scheduled, on time, and prepared to start work. Employees also are expected to remain at work for their entire work schedule, except for meal periods or when required to leave on authorized NHU business. Late arrival, early departure, or other unanticipated and unapproved absences from scheduled hours are disruptive and must be avoided.

If you are unable to report for work on any particular day, you must under all but the most extenuating circumstances call your supervisor at least one hour before the time you are scheduled to begin working for that day. If you call less than one hour before your scheduled time to begin work and do not arrive in time for your assigned shift, you will be considered tardy for that day. In all cases of absences or tardiness, employees must provide their supervisor with an honest reason or explanation. Employees also must inform their supervisor of the expected duration of any absence. Excessive absenteeism or tardiness, whether excused or not, will not be tolerated. NHU defines excessive absenteeism as more than three days absence in a one-month period.

If you fail to report for work without any notification to your supervisor and your absence continues for a period of three days, NHU will consider that you have abandoned your employment.

DRESS CODE AND OTHER PERSONAL STANDARDS

Employees are expected to wear clothing appropriate for the nature of our business and the type of work performed. Clothing should be neat, clean and tasteful. Avoid clothing that can create a safety hazard. Department managers may issue more specific guidelines.

CONDUCT, JOB PERFORMANCE AND DISCIPLINE

Employees are expected to observe and maintain certain standards of job performance and good conduct. When performance or conduct does not meet NHU standards, the University will endeavor when it deems appropriate to provide the employee a reasonable opportunity to correct the deficiency. However, if the employee fails to meet required standards, he or she will be subject to disciplinary action, including termination.

Prohibited Conduct

The following conduct is prohibited and will not be tolerated by NHU. This list of prohibited conduct is illustrative only; other types of conduct that threaten security, personal safety, employee welfare and NHU's operations also may be prohibited.

- Falsifying employment records, employment information, or other NHU records;
- Recording the work time of another employee or allowing any other employee to record your work time, or falsifying any time card, either your own or another employee's;
- Theft and deliberate or careless damage or destruction of any NHU property, or the property of any employee, student or customer;
- Removing or borrowing NHU property without prior authorization;
- Unauthorized use of NHU equipment, time, materials, or facilities;
- Use or possession of another employee's property without his or her permission;
- Provoking a fight or fighting during working hours or on NHU property;
- Participating in horseplay or practical jokes on NHU time or on NHU premises;
- Carrying firearms or any other dangerous weapons on NHU premises at any time;
- Engaging in criminal conduct whether or not related to job performance;
- Smoking in a non smoking area;
- Causing, creating, or participating in a disruption of any kind during working hours on NHU property;
- Insubordination, including but not limited to failure or refusal to obey the orders or instructions of a supervisor or member of management, or the use of abusive or threatening language toward a supervisor or member of management;
- Using abusive language at any time on NHU premises;
- Failing to notify a supervisor when unable to report to work;
- Unreported absence of three consecutive scheduled workdays (including Friday/Monday combination);
- Failing to obtain permission to leave work for any reason during normal working hours;
- Failing to observe working schedules, including rest and lunch periods;
- Failing to provide a physician's certificate when requested or required to do so;
- Sleeping or malingering on the job;
- Working overtime without authorization or refusing to work assigned overtime;
- Wearing disturbing, unprofessional or inappropriate styles of dress or hair while working;
- Violating or failing to observe any safety, health, security or NHU policy, rule, or procedure;
- Committing a fraudulent act or a breach of trust under any circumstances;
- Committing of or involvement in any act of unlawful harassment of another individual;
- Unauthorized soliciting of employees for membership, funds, contributions or sales on NHU property;
- Inefficient or careless work performance or failure to maintain expected levels of productivity;
- Abuse of sick time; and
- Acting contrary to the interests of NHU.

This statement of prohibited conduct does not alter NHU's policy of at-will employment. Either you or NHU remain free to terminate the employment relationship at any time, with or without reason or advance notice.

DRUG AND ALCOHOL ABUSE

The National Hispanic University is concerned about the use of alcohol, illegal drugs, or controlled substances as it affects the workplace. Use of these substances, whether on or off the job can detract from an employee's work performance, efficiency, safety, and health, and therefore seriously impair the employee's value to NHU. In addition, the use or possession of these substances on the job constitutes a potential danger to the welfare and safety of other employees and exposes NHU to the risks of property loss or damage, or injury to other persons.

Furthermore, the use of prescription drugs and/or over-the-counter drugs also may affect an employee's job performance and may seriously impair the employee's value to NHU.

The following rules and standards of conduct apply to all employees either on University property or during the workday (including meals and rest periods). Behavior that violates company policy includes:

- Possession or use of an illegal or controlled substance, or being under the influence of an illegal or controlled substance while on the job;
- Driving an NHU vehicle while under the influence of alcohol; and
- Distribution, sale, or purchase of an illegal or controlled substance while on the job.

Violation of these rules and standards of conduct will not be tolerated. NHU also may bring the matter to the attention of appropriate law enforcement authorities.

In order to enforce this policy, NHU reserves the right to conduct searches of NHU property or employees and/or their personal property, and to implement other measures necessary to deter and detect abuse of this policy.

An employee's conviction on a charge of illegal sale or possession of any controlled substance while off University property will not be tolerated because such conduct, even though off duty, reflects adversely on NHU. In addition, NHU must keep people who sell or possess controlled substances off NHU's premises in order to keep the controlled substances themselves off the premises.

Any employee who is using prescription or over-the-counter drugs that may impair the employee's ability to safely perform the job, or affect the safety or well being of others, must notify a supervisor of such use immediately before starting or resuming work.

NHU will encourage and reasonably accommodate employees with alcohol or drug dependencies to seek treatment and/or rehabilitation. Employees desiring such assistance should request a treatment or rehabilitation leave. NHU is not obligated, however, to continue to employ any person whose performance of essential job duties is impaired because of drug or alcohol use, nor is NHU obligated to re-employ any person who has participated in treatment and/or rehabilitation if that person's job performance remains impaired as a result of dependency. Additionally, employees who are given the opportunity to seek treatment and/or rehabilitation, but fail to successfully overcome their dependency problem, will not automatically be given a second opportunity to seek treatment and/or rehabilitation. This policy on treatment and rehabilitation is not intended to affect NHU's treatment of employees who violate the regulations described previously. Rather, rehabilitation is an option for an employee who acknowledges a chemical dependency and voluntarily seeks treatment to end that dependency.

DRUG-FREE WORKPLACE

1. **Purpose:** The purpose of this policy is to furnish disciplinary and rehabilitative guidelines for handling first-time violators of the illegal drug prohibitions set forth in Section 2 of this policy.
2. **Coverage:** This policy covers only regular employees who are first-time violators of any one of the following prohibitions:
 - a. Use, possession, offering for sale, or being under the influence of illegal drugs during working hours, including lunch and break periods.
 - b. Use, possession, offering for sale, or being under the influence of illegal drugs on NHU property at any time.

For purposes of this policy, engaging in any of the activities above shall be considered a violation of NHU policy.

3. **Alternatives to Discharge:** The guidelines in the policy are alternatives to immediate discharge. The refusal of an employee covered by this policy to comply with the specified guidelines shall result in the immediate discharge of that employee.
4. **Rehabilitation:** An employee covered by this policy shall enroll in and complete an approved rehabilitation treatment program as determined by an outside treatment professional approved by NHU. The employee shall bear the costs of the rehabilitation program and shall be entitled to utilize whatever available vacation, sick, and/or medical leave benefits necessary for program participation. An employee's refusal to enroll in and complete such rehabilitation program shall be grounds for discharge.
5. **After-care:** An employee covered by this policy shall enroll in and complete an approved after-care program as determined by an outside treatment professional approved by NHU. The recommended after-care program must also be approved by NHU. The employee shall bear the cost of the after-care program and shall be entitled to utilize whatever available vacation, sick, and/or medical leave benefits are necessary for program participation. An employee's failure to complete the after-care program shall be grounds for discharge.
6. **Exemption from Rehabilitation and After-care:** At the discretion of NHU, based upon the recommendation of an outside treatment professional, an employee covered by this policy may be exempt from the rehabilitation and after-care provisions of this policy. Such employee, however, may be required to enroll in a substance abuse education or similar program approved by NHU.
7. **Outside Treatment Professionals:** The outside treatment professional referred to in Sections 4, 5, and 6 shall be selected by the employee and approved by NHU.

8. **Written Agreement:** An employee covered by this policy shall execute a written agreement with the University that shall be retained in the employee's file. The agreement shall set forth the following terms:
- a. Enrollment in and completion of a university-approved rehabilitation treatment program at the employee's cost, if applicable;
 - b. Enrollment in and completion of the university-approved after-care program at the employee's cost, if applicable;
 - c. Execution of appropriate release of medical information forms to permit university monitoring of compliance with the rehabilitation treatment and after-care program commitments, if applicable;
 - d. Enrollment in and completion of university-approved substance abuse education or similar program, if applicable;
 - e. The employee's responsibility to ensure that the treatment facility/program provides the university with the necessary documentation to establish compliance with the employee's rehabilitation obligations;
 - f. Abstention from any illegal drug misconduct. This provision shall not preclude the employee from voluntarily referring himself/herself for a subsequent course of treatment;
 - g. Acknowledgment that any future violation of university drug prohibitions shall result in immediate discharge;
 - h. Submission to no more than four random urine tests within a one-year period from the date of the agreement and executing the appropriate release of medical information forms. A positive result from any drug test during this period will result in discharge; and
 - i. Failure to comply with any provision of the agreement shall result in immediate discharge.

IV. OPERATIONAL CONSIDERATIONS

PROPERTY

Employer Property

Filing cabinets, desks, computers, and storage areas are NHU property and must be maintained according to NHU rules and regulations. They must be kept clean and are to be used only for work-related purposes. NHU reserves the right to inspect all NHU property to ensure compliance with its rules and regulations, without notice to the employee and at any time, not necessarily in the employee's presence.

NHU voice mail and or electronic mail (e-mail) are to be used for business purposes only. NHU reserves the right to monitor voice mail messages and e-mail messages to ensure compliance with this rule, without notice to the employee and at any time, not necessarily in the employee's presence.

No personal locks may be used on NHU filing cabinets, storage areas or offices unless the employee furnishes a copy of the key or the combination to the lock. Unauthorized use of a personal lock by an employee may result in losing the right to use said items.

NHU may periodically need to assign and/or change "passwords" and personal codes for voicemail, e-mail, laptops or computers. These communication technologies and related storage media and databases are to be used only for NHU business and they remain the property of NHU. NHU reserves the right to keep a record of all passwords and codes used and/or may be able to override any such password system.

Prior authorization must be obtained before any NHU property may be removed from the premises.

Employees are expected to use reasonable care when using NHU fax machines, copy machines, computers, telephones, any other office equipment and NHU property, and to use such property only for work-related purposes.

For security reasons, employees should not leave personal belongings of value in the workplace. Personal items are subject to inspection and search, with or without notice, with or without the employee's prior consent.

Terminated employees should remove any personal items at the time they leave NHU. Personal items left in the workplace are subject to disposal if not claimed at the time of an employee's termination. Terminated employees must return all NHU property including office keys, pagers, telephones, lap tops, palm pilots, cell phones, and employee manual at the time they leave NHU.

Off-duty Use of Facilities

Employees are prohibited from remaining on NHU premises after working hours or making use of NHU facilities while not on duty. Employees are expressly prohibited from using NHU facilities, NHU property, or NHU equipment for personal use.

Employee Property

An employee's personal property, including but not limited to packages, purses, and backpacks, may be inspected upon reasonable suspicion of unauthorized possession of NHU property.

Please do not bring valuables to work and leave unattended or unsecured. NHU is not responsible for loss or damage to personal items of its employees, students, or visitors.

VOICE-MAIL, EMAIL AND CELL PHONES

VOICE-MAIL AND E-MAIL

University-maintained systems: Voice-mail and electronic mail (e-mail) systems are maintained by this University in order to facilitate company business. Therefore, all messages sent, received, composed, and/or stored on these systems are property of the University.

Personal use extremely limited: These systems are to be used by employees in conducting NHU business and are not for employees' personal use. NHU understands that on occasion immediate family members may need to leave messages on the voice-mail system for an employee, and is willing to accommodate such personal use of the system to a limited degree. However personal use of the voice-mail system that interferes with an employee's work performance will not be tolerated.

Privacy not guaranteed: NHU reserves the right to access an employee's voice-mail (outgoing and incoming) and e-mail messages at any time. Therefore, an employee's outgoing voice-mail message must not indicate to the caller that his/her incoming message will be confidential or private. The existence of a password on either system is not intended to indicate that messages will remain private, and all employees must make passwords known to the University.

Erasure not reliable: Employees should be aware that even when a message has been erased, it still might be possible to retrieve it from a backup system. Therefore, employees should not rely on the erasure of messages to assume a message has remained private.

Message access: Messages on the voice-mail and e-mail systems are to be accessed only by the intended recipient and by others at the direct request of the intended recipient. However, NHU reserves the right to access messages on both systems at any time. Any attempt by persons other than authorized NHU personnel to access messages on either system will constitute a serious violation of company policy.

Harassment and discrimination: Messages on the NHU voice-mail and e-mail systems are subject to the same policies regarding harassment and discrimination, as are any other workplace communications. Offensive, harassing or discriminatory content in such messages will not be tolerated.

CELL PHONES

Personal Use of Cell Phones

Employees who are provided a University cell phone may use the phone for personal reasons only in case of an emergency. Other personal use is prohibited.

Safe Use of Cell Phones

If your job requires that you keep your cell phone turned on while you are driving, you must use a hands-free device and safely pull off the road before conducting university business. Under no circumstances should employees place phone calls while operating a motor vehicle while driving on university business and/or university time.

USE OF ELECTRONIC MEDIA

NHU uses various forms of electronic communication including, but not limited to computers, e-mail, telephones, Internet, cell phones, and pagers. All electronic communications, including all software, databases, hardware, and digital files, remain the sole property of NHU and are to be used only for NHU business and not for personal use during working hours. While after working hours use of above mentioned media is allowed under certain circumstances with Supervisor's approval, inappropriate use and/or abuse of privileges will not be tolerated.

Electronic communication and media may not be used in any manner that would be discriminatory, harassing, or obscene, or for any other purpose that is illegal, against NHU policy, or not in the best interest of NHU at any time including while on personal time.

Employees who misuse electronic communications and engage in defamation, copyright or trademark infringement, misappropriation of trade secrets, discrimination, harassment, or related actions will be subject to discipline and/or immediate termination.

Employees may not install personal software on NHU computer systems.

All electronic information created by any employee using any means of electronic communication is the property of NHU and remains the property of NHU. Personal passwords may be used for purposes of security, but the use of a personal password does not affect NHU's ownership of the electronic information.

NHU will override all personal passwords if necessary for any reason.

NHU reserves the right to access and review electronic files, messages, mail, and other digital archives, and to monitor the use of electronic communications as necessary to ensure that no misuse or violation of NHU policy or any law occurs.

Employees are not permitted to access the electronic communications of other employees or third parties unless directed to do so by NHU management.

No employee may install or use anonymous e-mail transmission programs or encryption of e-mail communications, except as specifically authorized by the IT Manager.

Employees who use devices on which information may be received and/or stored, including but not limited to cell phones, cordless phones, portable computers, fax machines, pagers, and voice mail communications are required to use these methods in strict compliance with the confidential communication policy established by NHU. Except for such uses, these communication tools should not be used for communicating confidential or sensitive information.

Personal phone calls and other avenues of communication, both incoming and outgoing, are discouraged by NHU. We recognize that there may be limited occasions when personal calls or other forms of communication must be made or received during business hours. However such calls must be held to a minimum and not interfere with the employee's work. NHU will not pay for personal long distance calls. Employees must use a calling card or other means to pay for these calls.

EMPLOYEES WHO ARE REQUIRED TO DRIVE

Employees who are required to drive a University vehicle or their own vehicles on University business will be required to show proof of current valid driving licenses and current effective insurance coverage before the first day of employment.

NHU retains the right to transfer to an alternative position, suspend, or terminate an employee whose license is revoked, or who fails to maintain personal automobile insurance coverage or who is uninsurable under the University's policy.

Employees who are designated to drive the University 14-passenger van must complete the appropriate paperwork and file it with the DMV. Please contact the human resources office for further information.

CHILDREN IN THE WORKPLACE

Many employees combine parenting and work and this means that there are situations in which children will be on campus.

This policy outlines NHU's approach to ensure that reasonable steps are taken to protect the study and work environment at the University. The policy also takes into account health and safety issues associated with children being on campus. For purposes of this policy, a child is defined as an individual under the age of 18 years who is not a student or employee of the University. This policy applies to employees who may wish to bring dependent children to the workplace. This policy does not apply to approved University programs that involve children in education or research.

Employees may bring their children to work in situations where there are sudden and unexpected difficulties in childcare arrangements. Prior approval must be gained from your supervisor for the child to attend work. NHU does not expect that employees will routinely bring children to work as an alternative to regular childcare arrangements. When childcare arrangements break down, employees should first seek alternatives to bringing children to the workplace. In such cases, an employee may use accrued sick time or accrued vacation time to care for the child at home.

When children are brought to the workplace, the following requirements apply:

- A child who has an illness that prevents him or her from being accepted by a regular day care provider, or attending school if the child is school-aged, particularly a child with an infectious disease, may not be brought to the workplace under any circumstances.
- Children are expressly prohibited from entering hazardous areas such as kitchen areas and laboratories.
- The employee who brought the child to the workplace is responsible for keeping the child within his or her "sight and sound" at all times. The employee may not ask any other employee or student to supervise the child.
- The employee who brought the child to the workplace is responsible for all aspects of the child's behavior. The employee is responsible for the child's safety and is financially responsible for any damages caused by the child.
- The presence of the child cannot disrupt the work environment or negatively impact the productivity of the employee who brought the child or other employees or students.
- The employee's supervisor or an authorized administrator may direct the employee to remove the child from the workplace at any time if it is determined that this policy has been violated, that the child's presence negatively impacts University interests, the child's health or safety is at risk, the child is presenting a health risk to others, the child's behavior is causing undue disruption to other employees or students, or the presence of the child is inappropriate. The time used by an employee who is required to remove a child from the workplace will be charged against accrued vacation time or sick time if the child is ill. If the employee does not have accrued vacation time or sick time, the time off will be without pay.

ERGONOMICS

NHU is subject to Cal/OSHA ergonomics standards for minimizing workplace repetitive motion injuries. NHU will make necessary adjustments to reduce exposure to ergonomic hazards through modifications to equipment and processes. NHU encourages safe and proper work procedures and requires all employees to follow safety instructions and guidelines.

NHU believes that reduction of ergonomic risk is instrumental in maintaining an environment of personal safety and well being, and is essential to our business. We intend to provide appropriate resources to create a risk-free environment.

If you have any questions about ergonomics, please contact the human resources office.

PARKING

Employees may park their vehicles in designated areas, if space permits. If space is unavailable, employees must park in permissible public areas in the vicinity of NHU property. Employees may not use parking areas specifically designated for customers, vendors, NHU vehicles, or restricted areas. Employees are encouraged not to leave valuables in their vehicles and to keep vehicles locked at all times. NHU is not responsible for any loss or damage to employee vehicles or contents while parked on NHU property or in the course of conducting NHU business.

SMOKING

Smoking is not permitted in any NHU office or work area. Smoking is only permitted in the designated area outside the buildings. Employees who wish to smoke must limit their smoking to break and meal periods.

In accordance with California education code, no smoking is allowed where underage students meet. Because there are high school students on campus, the designated smoking area has been established where high school students do not congregate. It is located on the west side of the main NHU building. There are three seating areas with maroon metal benches on the west side of the building. The first seating area closest to Story Road will be the designated smoking area. Please do not dispose of butts on the ground. Use only the designated receptacles.

No Smoking is allowed anywhere else on campus, including the University Balcony. Smoking anywhere, except designated areas, will be in violation of this policy and will result in discipline up to and including termination.

WORKPLACE VIOLENCE

The safety and security of NHU employees is of vital importance. Acts or threats of physical violence, including intimidation, harassment and/or coercion, which involve or affect NHU, or which occur on NHU property, will not be tolerated. This prohibition against threats and acts of violence applies to all persons involved in the operation of NHU, including, but not limited to, NHU personnel, contract and temporary workers and anyone else on NHU property. Violations of this policy by any individual on NHU property, by any individual acting as a representative of NHU while off NHU property, or by any individual acting off of NHU property when his or her actions affect the University's business interests will lead to disciplinary action up to and including termination and/or legal action as appropriate.

Acts or threats of violence include conduct which is sufficiently severe, offensive, or intimidating to alter the employment conditions at NHU or to create a hostile, abusive, or intimidating work environment for one or several NHU employees. Examples of workplace violence include, but are not limited to, the following:

- Threats or acts of violence occurring on NHU premises, regardless of the relationship between the University and the parties involved in the incident.
- Threats or acts of violence occurring off University premises involving someone who is acting in the capacity of a representative of NHU.
- Threats or acts of violence occurring off University premises involving an employee of NHU if the threats or acts affect the legitimate interests of the University.
- Threats or acts of violence occurring off University premises of which an employee of NHU is a victim if NHU determines that the incident may lead to an incident of violence on University premises.
- Threats or acts resulting in the conviction of an employee or agent of the University, or of an individual performing services for the University on a contract or temporary basis, under any criminal code provision relating to violence or threats of violence which adversely affect the legitimate interests and goals of NHU.

Specific examples of conduct that may be considered threats or acts of violence under this policy include, but are not limited to, the following:

- Threatening physical or aggressive contact directed toward another individual.
- Threatening an individual or his or her family, friends, associates or property with physical harm.
- The intentional destruction or threat of destruction of University property or another's property.
- Harassing or threatening phone calls.
- Surveillance.
- Stalking.
- Veiled threats of physical harm or like intimidation.

Workplace violence does not refer to occasional comments of a socially acceptable nature. Such comments may include references to legitimate sporting activities, popular entertainment or current events. Rather, it refers to behavior that is personally offensive, threatening or intimidating.

SECURITY

NHU has developed guidelines to help maintain a secure workplace. Be aware of persons loitering for no apparent reason in parking areas, walkways, entrances and exits, and service areas. Report any suspicious persons or activities to security or maintenance personnel. Do not leave valuables and/or personal articles in or around your workstation that may be accessible, especially when called away from your work area for an extended period of time. Secure your desk or office at the end of the day. The security of our facilities as well as the welfare of our employees depends upon the alertness and sensitivity of every individual to potential security risks. You should immediately notify your supervisor when unknown persons are acting in a suspicious manner in or around the facilities, or when keys or identification badges are missing. NHU is not responsible for lost or stolen property.

Doors to all classrooms and maintenance areas shall be kept locked except while in use. Keys are not to be loaned out or left unattended at any time. Duplication of keys without authorization may result in disciplinary action, up to, and including termination.

Lost and found items should be turned in or reported to the Facilities Manager.

Identification Badges

All NHU employees are required to wear an NHU picture identification badge at all times while on campus. NHU security personnel have the right to deny entry to anyone not presenting a badge, or to escort off the property anyone without a badge.

HEALTH AND SAFETY

All employees are responsible for their own safety, as well as that of others in the workplace. To help us maintain a safe workplace, everyone must be safety-conscious at all times. Report all work-related injuries or illnesses immediately to the human resources office or your supervisor.

In compliance with Proposition 65, NHU will inform employees of any known exposure to a chemical known to cause cancer or reproductive toxicity.

No candles, incense or anything else may be burned or lit on fire at any time for any reason inside any building, as this is a fire hazard. The only exceptions are controlled experiments in the Science Labs.

Housekeeping

All employees are expected to keep their work areas clean and organized. When placing items in cubicles or desk areas, please do not place anything that will be visible above the cubicle panels. Please do not eat or keep open food or drinks at desks, in classrooms, laboratories, the library or the atrium. Packaged or resealable food items may be kept inside desks or drawers. Please eat only in designated areas to help keep our building clean. Designated eating areas are: Employee break room on the second floor South Wing, and the first floor South Wing student eating area in Sobrato Hall.

People using common areas such as eating areas, appliances, and restrooms are expected to keep them sanitary. Please clean up after meals and dispose of trash properly. Do not place containers of liquid in trash receptacles; please pour out liquid in sinks only. Please do not use drinking fountains for this purpose.

INCLEMENT WEATHER AND NATURAL DISASTERS

In the event of severe weather or a natural disaster that prevents employees from safely traveling to and from work, the following leave policies will apply:

- **Inclement weather:** Conditions that excuse absences from work include: severe flooding. If weather conditions prevent you from safely traveling to work, you must notify your supervisor by phone, if telephone service is functional, or by any other available means. Absences will be unpaid or deducted from accumulated vacation time.
- **Natural disasters:** In the event of a natural disaster such as an earthquake, fire, or explosion, the office will be closed if the building is damaged or highways leading to the office are damaged. For instructions on reporting to another location, contact the main office immediately, if possible.

V. EMPLOYEE BENEFITS

VACATION

Regular full-time employees accrue paid vacations in accordance with the following policy:

Less than six months:	no accrual;
Six months through 1 st year:	five days;
2 nd year through 4 th year:	10 days per year;
5 th year through 10 th year:	15 days per year;
11 th year through 12 th year:	20 days per year; and
13 th year and thereafter:	22 days per year.

Vacation time does not accrue during the first six months of employment. Vacation time is calculated according to full time anniversary date. Temporary employees do not accrue paid vacation time. After completed the six-month introductory period, part-time employees who are scheduled to and do work 20 hours or more every week accrue paid vacation based on the number of hours worked and the accrual rates below.

After completion of the initial six months of continuous employment, full-time employees begin to accrue vacation time at the rate of .0385 hours per hour worked. An employee who is scheduled to and does work 37.5 hours per week will normally accrue five working days, or 37.5 hours of vacation in the second six months of continuous employment. An employee who is scheduled to and does work 40 hours per week will normally accrue five working days, or 40 hours of vacation in the second six months of continuous employment.

In the second, third and fourth years of continuous employment, full time employees will accrue vacation time at the rate of .0385 hours per hour worked. An employee who is scheduled to and does work 37.5 hours per week will normally accrue 10 working days or 75 hours vacation time in the second, third, and fourth years of employment. An employee who is scheduled to and does work 40 hours per week will normally accrue 10 working days or 80 hours vacation time in the second, third, and fourth years of employment.

Beginning with the fifth year through the 10th year of continuous employment, full-time employees begin to accrue vacation time at the rate of .0575 hours per hour worked. An employee who is scheduled to and does work 37.5 hours per week will normally accrue 15 working days or 112.5 hours of vacation beginning in the fifth year of employment. An employee who is scheduled to and does work 40 hours per week will normally accrue 15 working days or 120 hours of vacation beginning in the fifth year of employment.

Beginning with the 11th year of continuous employment, full-time employees begin to accrue vacation time at the rate of .0769 hours per hour worked. An employee who is scheduled to and does work 37.5 hours per week will normally accrue 20 working days or 150 hours of vacation beginning in the 11th year of employment. An employee who is scheduled to and does work 40 hours per week will normally accrue 20 working days or 160 hours of vacation beginning in the 11th year of employment.

Beginning with the 13th year of continuous employment, full-time employees begin to accrue vacation time at the rate of .0846 hours per hour worked. An employee who is scheduled to and does work 37.5 hours per week will normally accrue 22 working days or 165 hours of vacation beginning in the 13th year of employment. An employee who is scheduled to and does work 40 hours per week will normally accrue 22 working days or 176 hours of vacation beginning in the 13th year of employment.

NHU encourages employees to take vacation annually. Earned vacation time accrues to a maximum of 20 working days in the second through fourth years of employment; 30 working days in the fifth through 10th years of employment; 40 working days in the 11th through 12th years of employment; and 44 working days in the 13th and following years of employment. If the maximum accrual is reached, no additional vacation will be earned until accrued vacation time is used.

Vacations shall be scheduled to provide adequate coverage of job responsibilities and staffing requirements. Supervisors must first approve employee requests for vacation time in advance. All requests for vacation must be submitted to human resources two weeks prior to requested vacation time.

Approved vacation time requested prior to accrual or that is more than accrued will be taken without pay.

In the event that you and another employee have requested vacation time covering the same period and may not be absent simultaneously, and if both requests were submitted at the same time, preference will be given to the employee with greater length of service. Otherwise, preference will be given to the request made first.

Employees on leave do not accrue vacation time.

Employees may request to use accrued vacation time in four-hour increments four times per year.

At no time may an employee receive pay in lieu of accrued vacation except at the time of termination.

Required Use of Vacation Before Unpaid Sick Leave

You are required to take accrued and unused vacation before taking unpaid leave, or having unpaid absences. Family and Medical Leave (under both state and federal law) is included in this requirement, unless the absence is pregnancy-related.

If you are absent for a reason that qualifies you for Paid Family Leave (PFL) payments, you are required to first use any accrued and unused vacation, up to a maximum of two weeks in a 12-month period.

Employees who are absent because of their own disability may be eligible for State Disability Insurance (SDI) benefits. SDI payments do not begin until after you have been absent from work for seven calendar days. If you have accrued sick leave, sick leave will be used for the first seven days before SDI payments begin. If you do not have accrued sick leave, but do have accrued vacation, vacation will be substituted for the unpaid absence.

SDI benefits do not replace all of your usual wages. Your SDI benefits may be supplemented with any accrued and unused sick leave. If you have no sick leave, or once you exhaust your sick leave, accrued and unused vacation may be used to supplement your SDI benefits. You may request that your SDI benefits be supplemented by contacting the human resources office at least one week prior to the first day of your leave.

HOLIDAYS

NHU observes the following paid holidays:

- New Year's Eve
- New Year's Day
- Day after New Year's Day
- Martin Luther King Jr. Day
- President's Day
- Good Friday
- Cinco de Mayo
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Day after Thanksgiving Day
- Christmas Eve
- Christmas Day
- Day after Christmas Day

When a holiday falls on a Saturday or Sunday, it is usually observed on the preceding Friday or the following Monday. However, NHU may close on another day. Holiday observance will be announced in advance.

To be eligible for holiday pay, you must be regularly scheduled to work on the day on which the holiday is observed and must work your regularly scheduled working days immediately preceding and immediately following the holiday, unless an absence on either day is approved in advance by your supervisor. Employees who are **required** to work on a paid scheduled holiday will receive straight time pay in addition to holiday pay or an alternate paid day off.

Part time employees receive holiday pay if they are regularly scheduled to work on the day on which the holiday is observed for the hours they would normally work on that day. (Example: If an employee normally works six hours on a particular day, then they would receive six hours of holiday pay if that scheduled workday were a holiday).

INSURANCE BENEFITS

Full time employees of NHU are eligible to receive the following benefits. Eligible dependents are defined according to each insurance coverage plan. Please refer to the summary plans to determine dependent eligibility. This information is available in the human resources office.

Medical Insurance

NHU provides a comprehensive medical insurance plan for eligible regular full-time employees and their dependents. Eligibility begins on the first day of the month following date of regular full-time employment. Premium costs for eligible employees are paid by NHU. The employee pays elected coverage for eligible dependents through payroll deduction. Eligible employees who choose to waive medical insurance may choose to elect coverage only during open enrollment or must meet qualifications to enroll at another time. Details about medical insurance and enrollment are available in the human resources office.

Dental Insurance

NHU provides a comprehensive dental insurance plan for eligible regular full-time employees. Eligibility begins on the first day of the month following date of regular full-time employment. Premium costs for eligible employees are paid by NHU. The employee pays elected coverage for eligible dependents through payroll deduction. Eligible employees who choose to waive dental insurance may choose to elect coverage only during open enrollment or must meet qualifications to enroll at another time. Details about dental insurance and enrollment are available in the human resources office.

Vision Insurance

NHU provides a comprehensive vision insurance plan for eligible regular full-time employees. Eligibility begins on the first day of the month following date of regular full-time employment. Premium costs for eligible employees are paid by NHU. The employee pays elected coverage for eligible dependents through payroll deduction. Eligible employees who choose to waive vision insurance may not enroll at a later date unless they meet specific qualifications stipulated by the vision insurance company. Details about vision insurance and enrollment are available in the human resources office.

Life and Accidental Death and Dismemberment

NHU pays life and AD&D insurance premiums for all eligible regular full-time employees. Eligibility begins on the first day of the month following three months of continuous full-time employment. Please contact the human resources office for a detailed plan description discussing the policy.

Short and Long Term Disability

NHU pays short and long term disability premiums for all eligible regular full-time employees. Eligibility begins on the first day of the month following three months of continuous full-time employment. Please contact the human resources office for a detailed plan description discussing the policy.

Retirement Plan

All eligible regular full-time employees may participate in a 403(b) tax-deferred annuity plan selected by NHU. Participation is voluntary and deductions are made pre-tax. Please contact the human resources office for a detailed description of the plan.

TUITION REMISSION

NHU provides tuition remission for eligible employees and their spouses and dependent children. Employees must be employed as regular full time employees for one full year to qualify. Eligible employees and their dependents will receive full remission of tuition for all NHU courses, but must pay all administrative fees. Individuals who use this benefit must follow all University procedures and must be academically eligible.

LEAVES OF ABSENCE

NHU may grant leaves of absence to employees in certain circumstances. Request any leave in writing as far in advance as possible, keep in touch with your supervisor or human resources office during your leave, and give prompt notice of any change in your anticipated return date. If your leave expires and you fail to return to work without contacting your supervisor or the human resources office, NHU will assume that you do not plan to return and that you have terminated your employment. Upon return from a leave of absence, you will resume all aspects of your employment status that existed prior to the start of your leave.

Health Insurance Premium

NHU will continue to pay for health insurance for employees on leaves of absence up to a maximum of 12 weeks. After that, you may self-pay premiums under the provisions of COBRA. The human resources office can give you additional information.

Family/Medical Leave

Any leave taken under this provision that qualifies as leave under the state and/or federal Family and Medical Leave Acts will be counted as family/medical leave and charged to your entitlement of 12 workweeks of family/medical leave in a 12-month period.

Paid Family Leave

If you take a leave under this provision that qualifies you for payments for Paid Family Leave, you will be required to use any accrued and unused vacation, up to a maximum of two weeks.

SICK LEAVE

Sick leave is a form of insurance that employees accumulate in order to provide a cushion for incapacitation due to illness. It is intended to be used only when actually required to recover from illness or injury; sick leave is not for “personal” absences. Time off for medical and dental appointments will be treated as sick leave. NHU will not tolerate abuse or misuse of your sick leave privilege.

NHU offers paid sick leave to regular full-time and eligible part-time employees who have completed their introductory period. After completion of the introductory period, regular full-time employees accrue paid sick leave at the rate of one day per month. Temporary employees do not qualify for sick leave pay. Part-time employees who are scheduled to and do work 20 hours per week or more accrue sick time based on hours worked. At no time may an employee accrue more than 12 days of sick leave. NHU does not pay employees in lieu of unused sick leave.

If you are absent longer than three days due to illness, medical evidence of your illness and/or medical certification of your fitness to return to work satisfactory to NHU will be required before NHU honors any sick pay requests. NHU may withhold sick pay if it suspects that sick leave has been misused.

Employees who have depleted their sick leave may use accrued vacation time. In an emergency situation, the employee may request an advance of sick leave of up to five days. Requests must be sent to the human resources office and approved by the employee’s supervisor and the president’s office. Employees who request an advance must prove their emergency, have completed their introductory period, and intend on remaining in the University’s employ.

Kin Care

Employees may use up to one-half of their yearly sick leave accrual to attend to a child, grandchild, parent, grandparent, sibling, spouse, spouse’s parent, domestic partner, domestic partner’s parent, or domestic partner’s child who is ill. Leave for this purpose may not be taken until it has actually accrued.

For purposes of sick leave use, a “child” is defined as a biological, foster, or adopted child; stepchild; or a legal ward. A “child” also may be someone for whom you have accepted the duties and responsibilities of raising, even if he or she is not your legal child.

A “parent” is your biological, foster, or adoptive parent; stepparent; or legal guardian.

A “spouse” is your legal spouse according to the laws of California, which do not recognize “common law” spouses (a union that has not been certified by a civil or religious ceremony). All conditions and restrictions placed on employee’s use of sick leave apply also to sick leave used for care of a child, parent, or spouse.

A “domestic partner” is another adult with whom you have chosen to share your life in an intimate and committed relationship of mutual caring, and with whom you have filed a Declaration of Domestic Partnership with the Secretary of State.

A “domestic partner’s child” is the biological, foster, or adopted child; stepchild; or legal ward of your domestic partner. A “domestic partner’s child” also may be someone for whom your domestic partner has accepted the duties and responsibilities of raising, even if he or she is not your domestic partner’s legal child.

Required Use of Paid Sick Leave Before Unpaid Leave

You are required to take accrued and unused paid sick leave before taking unpaid leave, or having unpaid absences. Family and Medical Leave (under both state and federal law) is included in this requirement.

If you are absent for a reason that qualifies you for Paid Family Leave (PFL) payments, and you have not yet accrued or have no vacation available, you are required to use any accrued and unused sick leave during the seven-day waiting period before PFL benefits begin. You must exhaust all paid sick leave before taking any unpaid absences.

PFL benefits do not replace all of your usual wages. Your PFL benefits will be supplemented with any accrued and unused sick leave.

Employees who are absent because of their own disability may be eligible for State Disability Insurance (SDI) benefits. SDI payments do not begin until after you have been absent from work for seven calendar days. If you have accrued paid sick leave, sick leave will be used for the first seven days, before SDI payments begin. If you have no accrued sick leave, any accrued vacation will be used during this waiting period.

SDI benefits do not replace all of your usual wages. Your SDI benefits may be supplemented with any accrued and unused sick leave. If you have no sick leave, or once you exhaust your sick leave, accrued and unused vacation may be used to supplement your SDI benefits. You may request that your SDI benefits be supplemented by contacting the human resources office at least one week prior to the first day of your leave.

Paid Sick Leave and Workers' Compensation Benefits

Paid sick leave is a benefit that also covers absences for work-related illness or injury. Employees who have a work-related illness or injury are covered by workers' compensation insurance. However, workers' compensation benefits usually do not cover absences for medical treatment. When you report a work-related illness or injury, you will be sent for medical treatment, if treatment is necessary. You will be paid your regular wages for the time you spend seeking initial medical treatment.

Any further medical treatment will be under the direction of the health care provider. Any absences from work for follow-up treatment, physical therapy or other prescribed appointments will not be paid as time worked. If you have accrued and unused sick leave, the additional absences from work will be paid with the use of sick leave.

If you do not have accrued paid sick leave, or if you have used all of your sick leave, you may choose to substitute vacation time for further absences from work related to your illness or injury.

FAMILY/MEDICAL LEAVE

State and federal family and medical leave laws provide up to 12 workweeks of unpaid family/medical leave with a 12-month period, under the following conditions:

- The employee has more than 12 months of service,
- The employee has worked at least 1,250 hours during the previous 12-month period before the need for leave; and
- The employee is employed at a work site where there are 50 or more employees within a 75-mile radius.

Leave may be taken for one or more of the following reasons:

- The birth of the employee's child, or placement of a child with the employee for adoption or foster care;
- To care for the employee's spouse, registered domestic partner, child, or parent who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform his or her job.

For purposes of calculating the 12-month period during which 12 weeks of leave may be taken, NHU uses the employee's anniversary hire date or the last day of the previous qualifying leave taken.

Under most circumstances, leave under federal and state law will run at the same time and the eligible employee will be entitled to a total of 12 weeks of family and medical leave in the designated 12-month period.

However, leave because of the employee's disability for pregnancy, childbirth or related medical condition is not counted as time used under California law (the California Family Rights Act). Time off because of pregnancy disability, childbirth or related medical condition does count as family and medical leave under federal law (the Family and Medical Leave Act). Employees who take time off for pregnancy disability and who are eligible for family and medical leave will also be placed on family and medical leave that runs at the same time as their pregnancy disability leave. Once the pregnant employee is no longer disabled, she may apply for leave under the California Family Rights Act, for purposes of baby bonding.

Any leave taken for the birth, adoption, or foster care placement of a child does not have to be taken in one continuous period of time. California Family Rights Act leave taken for the birth or placement of a child will be granted in minimum amounts of two weeks. However, NHU will grant a request for a California Family Rights Act leave (for birth/placement of a child) of less than two weeks' duration on any two occasions. Any leave taken must be concluded within one year of the birth or placement of the child with the employee.

The following procedures shall apply when an employee requests family leave:

Please contact the human resources office as soon as you realize the need for family/medical leave.

If the leave is based on the expected birth, placement for adoption or foster care of a child, or planned medical treatment for a serious health condition of the employee or a family member, the employee must notify NHU at least 30 days before leave is to begin. The employee must consult with his or her supervisor

regarding scheduling of any planned medical treatment or supervision in order to minimize disruption to the operations of NHU. Any such scheduling is subject to the approval of the health care provider of the employee or the health care provider of the employee's child, parent, or spouse.

If the employee cannot provide 30 days' notice, NHU must be informed as soon as is practical.

If the Family and Medical Leave Act/California Family Rights Act request is made because of the employee's own serious health condition, NHU may require, at its expense, a second opinion from a health care provider that NHU chooses. The health care provider designated to give a second opinion will not be one who is employed on a regular basis by NHU.

If the second opinion differs from the first opinion, NHU may require, at its expense, the employee to obtain the opinion of a third health care provider designated or approved jointly by the employer and the employee. The opinion of the third health care provider shall be considered final and binding on NHU and the employee.

NHU requires the employee to provide certification within 15 days of any request for family and medical leave under state and federal law, unless it is not practicable to do so. NHU may require re-certification from the health care provider if additional leave is required.

If the leave is needed to care for a sick child, spouse, or parent, the employee must provide a certification from the health care provider stating:

- Date of commencement of the serious health condition;
- Probable duration of the condition;
- Estimated amount of time for care by the health care provider; and
- Confirmation that the serious health condition warrants the participation of the employee.

When both parents are employed by NHU and request simultaneous leave for the birth or placement for adoption or foster care of a child, NHU will not grant more than 12 workweeks total of family/medical leave for each employee.

If an employee cites his/her own serious health condition as a reason for leave, the employee must provide a certification from the health care provider stating:

- Date of commencement of the serious health condition;
- Probable duration of the condition; and
- Inability of the employee to work at all or perform any one or more of the essential functions of his/her position because of the serious health condition.

NHU will require certification by the employee's health care provider that the employee is fit to return to his or her job.

Failure to provide certification by the health care provider of the employee's fitness to return to work will result in denial of reinstatement for the employee until the certificate is obtained.

An employee taking family/medical leave will be allowed to continue participating in any health and welfare benefit plans in which he/she was enrolled before the first day of the leave (for a maximum of 12 workweeks) at the level and under the conditions of coverage as if the employee had continued in employment for the duration of such leave. NHU will continue to make the same premium contribution as if the employee had continued working. The continued participation in health benefits begins on the date leave first begins under Family and Medical Leave Act (e.g., for pregnancy disability leaves) or under the Family and Medical Leave Act/California Family Rights Act (e.g., for all other family care and medical leaves). In some instances, NHU may recover from an employee premiums paid to maintain health coverage if the employee fails to return to work following family/medical leave.

Employees on family/medical leave who are not eligible for continued paid coverage may continue their group health insurance coverage through NHU in conjunction with the federal COBRA guidelines by making monthly payments to NHU for the amount of the applicable premium. Employees should contact the human resources office for further information. Payment is due on the same schedule as payments that are made under COBRA.

Paid leave will be substituted for unpaid leave in the following circumstances:

- Accrued sick leave is required to be used during Family and Medical Leave Act/California Family Rights Act leave for the employee's own serious health condition, or, up to a limit of that which is accrued over six months, to attend to the illness of a child, parent, spouse, or registered domestic partner of the employee; or
- Vacation time is required to be used for any family/medical leave qualifying event, except leave that is also pregnancy disability leave.

Under most circumstances, upon return from family/medical leave, an employee will be reinstated to his or her original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. However, an employee has no greater right to reinstatement than if he or she had been continuously employed rather than on leave. For example, if an employee on family/medical leave would have been terminated had he or she not gone on leave, or if the employee's job is eliminated during the leave and no equivalent or comparable job is available, then the employee would not be entitled to reinstatement. In addition, an employee's use of family/medical leave will not result in the loss of any employment benefit that the employee earned before using family/medical leave.

Reinstatement after family/medical leave may be denied to certain salaried "key" employees under the following conditions:

- An employee requesting reinstatement was among the highest-paid 10 percent of salaried employees employed within 75 miles of the work site at which the employee worked at the time of the leave request;
- The refusal to reinstate is necessary because reinstatement would cause substantial and grievous economic injury to NHU's operations;
- The employee is notified of NHU's intent to refuse reinstatement at the time NHU determines the refusal is necessary; and

- If leave has already begun, NHU gives the employee a reasonable opportunity to return to work following the notice described previously.

For additional information about eligibility for family/medical leave, contact the human resources office.

Time Accrual

Employees on Family and Medical Leave Act/California Family Rights Act leave will not continue to accrue vacation time or sick leave during unpaid Family and Medical Leave Act/California Family Rights Act leave.

Carryover

Leave granted under any of the reasons provided by state and federal law will be counted as family/medical leave and will be considered as part of the 12-workweek entitlement in a 12-month period. The 12-month period is measured forward from the date any employee’s first Family and Medical Leave Act leave begins. Successive 12-month periods commence on the date of an employee’s first use of such leave after the preceding 12-month period has ended. No carryover of unused leave from one 12-month period to the next 12-month period is permitted.

Intermittent Leave

Employees may take Family and Medical Leave Act/California Family Rights Act leave intermittently (in blocks of time, or by reducing their normal weekly or daily work schedule) if the leave is for the serious health condition of the employee’s child, parent or spouse, or of the employee, and the reduced leave schedule is medically necessary as determined by the health care provider of the person with the serious health condition. The smallest increment of time that can be used for such leave is one day.

Temporary Transfers

Employees who request a temporary transfer for medical and/or family medical leave reasons will be considered for that transfer if a position exists at the time the transfer is requested and the employee is qualified to perform the job. The employee will be paid in accordance with the responsibilities and duties of the temporary job.

PREGNANCY DISABILITY LEAVE

Pregnancy, childbirth, or related medical conditions will be treated like any other disability, and an employee on leave will be eligible for temporary disability benefits in the same amount and degree as any other employee on leave.

Any female employee planning to take pregnancy disability leave should advise the human resources office as early as possible. The individual should make an appointment with human resources to discuss the following conditions:

- Employees who need to take pregnancy disability must inform NHU's human resources office when a leave is expected to begin and how long it will likely last. If the need for a leave or transfer is foreseeable, employees must provide notification at least 30 days before the pregnancy disability leave or transfer is to begin. Employees must consult with their supervisor regarding the scheduling of any planned medical treatment or supervision in order to minimize disruption to the operations of NHU. Any such scheduling is subject to the approval of the employee's health care provider;
- If 30 days' advance notice is not possible, notice must be given as soon as practical;
- Upon the request of an employee and recommendation of the employee's physician, the employee's work assignment may be changed if necessary to protect the health and safety of the employee and her child;
- Requests for transfers of job duties will be reasonably accommodated if the job and security rights of others are not breached;
- Temporary transfers due to health considerations will be granted when possible. However, the transferred employee will receive the pay that accompanies the job, as is the case with any other temporary transfer due to temporary health reasons;
- Pregnancy leave usually begins when ordered by the employee's physician. The employee must provide the human resources office with a certification from a health care provider. The certification indicating disability should contain:
 - The date on which the employee became disabled due to pregnancy;
 - The probable duration of the period or periods of disability; and
 - A statement that, due to disability, the employee is unable to perform one or more of the essential functions of her position without undue risk to herself, the successful completion of her pregnancy, or to other persons.
- Leave returns will be allowed only when the employee's physician sends a release;
- An employee will be allowed to use accrued sick time during a pregnancy disability leave. An employee will be allowed to use accrued vacation time during a pregnancy disability leave; and

- Duration of the leave will be determined by the advice of the employee's physician, but employees disabled by pregnancy may take up to four months. Part-time employees are entitled to leave on a pro rata basis. The four months of leave includes any period of time for actual disability caused by the employee's pregnancy, childbirth, or related medical condition. This includes leave for severe morning sickness and for prenatal care.

Leave does not need to be taken in one continuous period of time and may be taken intermittently, as needed. Leave may be taken in increments of one day.

Under most circumstances, upon submission of a medical certification that an employee is able to return to work from a pregnancy disability leave, an employee will be reinstated to her same position held at the time the leave began or to an equivalent position, if available. An employee returning from a pregnancy disability leave has no greater right to reinstatement than if the employee had been continuously employed.

Coordination of Pregnancy Disability Leave with Family/Medical Leave

If you take pregnancy disability leave and are eligible under the federal or state family and medical leave laws, NHU will maintain group health insurance coverage for up to a maximum of 12 workweeks (if such insurance was provided before the leave was taken) on the same terms as if you had continued to work. Leave taken under the pregnancy disability policy runs concurrently with family and medical leave under federal law, but not family and medical leave under California Law. If you are ineligible under federal and state family and medical leave laws, while on pregnancy disability you will receive continued paid coverage on the same basis as other medical leave that NHU may provide and for which you are eligible. In some instances, NHU may recover premiums it paid to maintain health coverage for you if you fail to return to work following pregnancy disability leave.

If you are on pregnancy disability leave and are not eligible for continued paid coverage, or if paid coverage ceases after 12 workweeks, you may continue your group health insurance coverage through NHU in conjunction with federal COBRA guidelines by making monthly payments to NHU for the amount of the relevant premium. Contact the human resources office for further information.

EXTENDED MEDICAL LEAVE

A medical leave of absence without pay may be granted for non-work-related temporary medical disabilities (other than pregnancy, childbirth, and related medical conditions) for up to four months with a doctor's written certificate of disability. Employees should request any leave in writing as far in advance as possible. If you are granted a medical leave, you must use your accrued sick time and accrued vacation time.

A medical leave begins on the first day your doctor certifies that you are unable to work, and ends when your doctor certifies that you are able to return to work or after a total of four months of leave, whichever occurs first. Human resources will supply you with a form for your doctor to complete, showing the date you were disabled and the estimated date you will be able to return to work. An employee returning from a medical disability leave must present a doctor's certificate declaring fitness to return to work.

If returning from a non-work-related medical leave, you will be offered the same position you held at the time your leave began, if available. If your former position is not available, a comparable position will be offered. If neither the same nor a comparable position is available, your return to work will depend on job openings existing at the time of your scheduled return. NHU makes no guarantees of reinstatement, and your return will depend on your qualifications for existing openings.

California worker's compensation laws govern work-related injuries and illnesses. California pregnancy disability laws govern leaves taken because of pregnancy, childbirth, and related medical conditions.

Any leave taken under this provision qualifying as leave under the state and/or federal Family and Medical Leave Acts will be counted as family/medical leave and charged to your entitlement of 12 workweeks of family/medical leave in a 12-month period.

PERSONAL LEAVE

A personal leave of absence without pay may be granted at the discretion of NHU. Requests for personal leave should be limited to unusual circumstances requiring an absence of longer than two weeks. Approved personal absences of shorter duration are not normally treated as leaves, but rather as excused absences without pay.

Any leave taken under this provision that qualifies as leave under the state and/or federal Family and Medical Leave Acts will be counted as family/medical leave and charged to your entitlement of 12 workweeks of family/medical leave in a 12-month period.

BEREAVEMENT LEAVE

NHU grants leave of absence to employees in the event of the death of the employee's current spouse, child, parent, legal guardian, brother, sister, grandparent, or grandchild; or mother-, father-, sister-, brother-, son-, or daughter-in-law. An employee with such a death in the family may take up to three consecutive scheduled workdays off with pay with the approval of NHU. Requests must be made through the human resources office.

JURY DUTY AND WITNESS LEAVE

NHU encourages employees to serve on jury duty when called. Non-exempt employees will receive full pay while serving up to 20 days of jury duty. Exempt employees will receive full salary. You should notify your supervisor of the need for time off for jury or witness duty as soon as a notice or summons from the court is received. You may be requested to provide written verification from the court clerk of performance of jury service. If work time remains after any day of jury selection, jury duty, or witness duty, you will be expected to return to work for the remainder of your work schedule.

Fees Paid by the Court

Any fee paid by the court for jury services must be reimbursed to NHU.

TIME OFF FOR VOTING

If an employee does not have sufficient time outside of working hours to vote in an official state-sanctioned election, the employee may take off enough working time to vote. Such time off shall be taken at the beginning or the end of the regular working shift, whichever allows for more free time, and the time taken off shall be combined with the voting time available outside of working hours to a maximum of two hours combined. Under these circumstances, an employee will be allowed a maximum of two hours of time off during an election day without loss of pay. When possible, an employee requesting time off to vote shall give his or her supervisor at least two days notice.

MILITARY LEAVE

Employees who wish to serve in the military and take military leave should contact the human resources office for information about their rights before and after such leave. You are entitled to reinstatement upon completion of military service, provided you return or apply for reinstatement within the time allowed by law.

VOLUNTEER FIREFIGHTERS AND PEACE OFFICERS

No employee shall be disciplined for taking time off to perform emergency duty as a volunteer firefighter, peace officer, or emergency rescue personnel. You are also eligible for unpaid leave for required training. If you are an official volunteer firefighter, please alert your supervisor that you may have to take time off for emergency duty. When taking time off for emergency duty, please alert your supervisor before doing so when possible.

DOMESTIC VIOLENCE LEAVE

Employees who are victims of domestic violence are eligible for unpaid leave. You may request leave if you are involved in a judicial action, such as obtaining restraining orders, or appearing in court to obtain relief to ensure your health, safety, or welfare, or that of your child.

You should provide notice and certification of your need to take leave under this policy. Certification may be sufficiently provided by any of the following:

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

NHU will, to the extent allowed by law, maintain the confidentiality of an employee requesting leave under this provision.

The length of unpaid leave an employee may take is limited to 12 weeks provided for in the federal Family and Medical Leave Act of 1993.

VICTIMS OF CRIME LEAVE

An employee who is themselves a victim or who is the family member of a victim of a violent felony or serious felony may take time off from work under the following circumstances:

- The crime must be a violent or serious felony, as defined by law; and
- You must be the victim of a crime, or you must be an immediate family member of a victim, a registered domestic partner of a victim, or the child of a registered domestic partner of a victim.

An immediate family member is defined as: a spouse, child, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father or stepfather.

A registered domestic partner means a domestic partner who is registered in accordance with California state law.

The absence from work must be in order to attend judicial proceedings related to a crime listed above.

Before you are absent for such a reason, you must provide documentation of the scheduled proceeding. Such notice is typically given to the victim of the crime by a court or government agency setting the hearing, a district attorney or prosecuting attorney's office or a victim/witness office.

If advance notice is not possible, you must provide appropriate documentation within a reasonable time after the absence.

Any absence from work to attend judicial proceedings will be unpaid, unless you choose to take paid time off, such as accrued vacation or sick leave.

SCHOOL ACTIVITIES LEAVE

Employees are encouraged to participate in the school activities of their child(ren). The absence is subject to all of the following conditions:

- Parents, guardians, or grandparents having custody of one or more children in kindergarten or grades one to 12 may take time off for a school activity;
- The time off for school activity participation cannot exceed eight hours in any calendar month, or a total of 40 hours each school year;
- Employees planning to take time off for school visitations must provide as much advance notice as possible to their supervisor;
- If both parents are employed by NHU, the first employee to request such leave will receive the time off. The other parent will receive the time off only if the leave is approved by his or her supervisor;
- Employees must use accrued vacation time in order to receive compensation for this time off;
- Employees who do not have paid time off available will take the time off without pay; and
- Employees must provide their supervisor with documentation from the school verifying that the employee participated in a school activity on the day of the absence for that purpose.

Suspension

If an employee who is the parent or guardian of a child facing suspension from school is summoned to the school to discuss the matter, the employee should alert his or her supervisor as soon as possible before leaving work. In agreement with California Labor Code Section 230.7, no discriminatory action will be taken against an employee who takes time off for this purpose.

EXTERNAL EMPLOYEE EDUCATION

Some employees may need to attend training programs, seminars, conferences, lectures, meetings, or other outside activities for the benefit of NHU or the individual employees. Attendance at such activities, whether required by NHU or requested by individual employees, requires the written approval of their supervisor. To obtain approval, any employee wishing to attend an activity must submit a written request detailing all relevant information, including date, hours, location, cost, expenses, and the nature, purpose, and justification for attendance. Attendance at any such event is subject to the following policies on reimbursement and compensation.

For attendance at events required or authorized by NHU, customary and reasonable expenses will be reimbursed upon submission of proper receipts. Acceptable expenses generally include registration fees, materials, meals, transportation, and parking. Reimbursement policies regarding these expenses should be discussed with your supervisor in advance.

Employee attendance at authorized outside activities will be considered hours worked for non-exempt employees and will be compensated in accordance with normal payroll practices.

This policy does not apply to an employee's voluntary attendance, outside of normal working hours, at formal or informal educational sessions, even if such sessions generally may lead to improved job performance. While NHU generally encourages all employees to improve their knowledge, job skills, and promotional qualifications, such activities do not qualify for reimbursement or compensation under this policy unless prior written approval is obtained as described previously.

WORKERS' COMPENSATION

NHU, in accordance with state law, provides insurance coverage for employees in case of work-related injury. The workers' compensation benefits provided to injured employees may include:

- Medical care;
- Cash benefits, tax free, to replace lost wages; and
- Vocational rehabilitation to help qualified injured employees return to suitable employment.

To ensure that you receive any workers' compensation benefits to which you may be entitled, you will need to:

- Immediately report any work-related injury to your supervisor;
- Seek medical treatment and follow-up care if required;
- Complete a written Employee's Claim Form (DWC Form 1) and return to the human resources office; and
- Provide NHU with a certification from your health care provider regarding the need for workers' compensation disability leave, as well as your eventual ability to return to work from the leave.

Upon submission of a medical certification that an employee is able to return to work after a workers' compensation leave, the employee under most circumstances will be reinstated to his or her same position held at the time the leave began, or to an equivalent position, if available. An employee returning from a workers' compensation leave has no greater right to reinstatement than if the employee had been continuously employed rather than on leave. For example, if the employee on workers' compensation leave would have been terminated had he or she not gone on leave, or if the employee's position has been eliminated or filled in order to avoid undermining NHU's ability to operate safely and efficiently during the leave, and no equivalent or comparable positions are available, then the employee would not be entitled to reinstatement. An employee's return depends on his or her qualifications for any existing openings. If, after returning from a workers' compensation disability leave, an employee is unable to perform the essential functions of his or her job because of a physical or mental disability, NHU's obligations to the employee may include reasonable accommodation, as governed by the Americans with Disabilities Act.

University-Provided Physician

Employees who are injured in a work-related incident will be referred to a local Medical Clinic for medical treatment for up to 30 days, unless prior to a work-related injury, NHU has received from the employee a written notice that the employee wishes to be treated by his or her own physician. In all cases, employees may seek treatment from their own physician after 30 days, should they so desire.

The law requires NHU to notify the workers' compensation insurance company of any concerns of false or fraudulent claims.

Any person who makes or causes to be made any knowingly false or fraudulent material statement or material misrepresentation for the purpose of obtaining or denying workers' compensation benefits or payments is guilty of a felony. A violation of this law is punishable by imprisonment for one to five years, or by a fine not exceeding \$50,000 or double the value of the fraud, whichever is greater, or both. Additional civil penalties may also apply.

Workers' Compensation and FMLA/CFRA

Employees who are ill or injured as a result of a work-related incident, and who are eligible for family and medical leave under state and federal law (Family Medical Leave Act (FMLA) and the California Family Rights Act (CFRA)), will be placed on FMLA/CFRA during the time they are disabled and not released to return to work. The leave under these laws run concurrently, and eligible employees will be on FMLA/CFRA for a maximum of 12 weeks in a 12-month period. For purposes of calculating the 12-month period during which 12 weeks of leave may be taken, NHU uses the employee's anniversary hire date or the last day of the previous qualifying leave taken.

Paid Sick Leave and Workers' Compensation Benefits

Paid sick leave is a benefit that also covers absences for work-related illness or injury. Employees who have a work-related illness or injury are covered by workers' compensation insurance. However, workers' compensation benefits usually do not cover absences for medical treatment. When you report a work-related illness or injury, you will be sent for medical treatment, if treatment is necessary. You will be paid your regular wages for the time you spend seeking initial medical treatment.

Any further medical treatment will be under the direction of the health care provider. Any absences from work for follow-up treatment, physical therapy or other prescribed appointments will not be paid as time worked. If you have accrued and unused sick leave, the additional absences from work will be paid with the use of sick leave.

If you do not have accrued, paid sick leave, or if you have used all of your sick leave, you may choose to substitute vacation time for further absences from work, related to your illness or injury.

RECREATIONAL ACTIVITIES AND PROGRAMS

NHU or its insurer will not be liable for payment of workers' compensation benefits for any injury that arises out of an employee's voluntary participation in any off-duty recreational, social, or athletic activity that is not part of the employee's work-related duties.

VI. SAMPLE FORMS

MAKE UP TIME REQUEST FORM

Employee Name _____

I am requesting time off as a result of a personal obligation on:

Day of the week _____ Date _____

From the hours of _____ a.m./p.m. (circle one) to _____ a.m./p.m. (circle one).

I will make up the time within the same workweek as follows: *(Fill in the dates and hours you plan to work to make up the missed time.)* **Employees may not work more than 11 hours in a day or 40 hours in a workweek as a result of making up time that was or will be lost due to a personal obligation.**

I understand that:

1. Any makeup time I work will not be paid at an overtime rate;
2. A separate written request is required for each occasion that I request makeup time;
3. My makeup time request must be approved in writing before I take the requested time off or work makeup time, whichever is first;
4. If I take time off and am unable to work the scheduled makeup time for any reason, the hours missed will normally be unpaid;
5. If I work makeup time before the time I plan to take off, I must take that time off, even if I no longer need the time off for any reason;
6. The company does not encourage, discourage, or solicit the use of makeup time.

Employee Signature _____ Date Request Submitted _____

For Employer Use Only:

Check One:

- Your makeup time request has been approved and submitted.
- You may take the time off requested, but must work the following makeup time hours rather than those submitted in your request:

- Your makeup time request has been denied.

By _____ Name _____
Signature *Please Print Name*

Dept _____ Date _____

INFORMATION CHANGE FORM

PLEASE FILL OUT ONLY WHAT APPLIES:

PLEASE PRINT

Current Name: _____

New Name: _____

New Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

New Emergency Contact Information:

Name: _____ Relationship: _____

Address: _____

Phone Number: _____

Effective Date: _____

Signature: _____

VACATION REQUEST FORM

Please complete this form and return to your Supervisor for signature. Forms must be approved and forwarded to Human Resources two weeks prior to any vacation time requested. Employee will be notified as soon as request has been approved or denied.

Employee Name _____ Department _____

VACATION TIME REQUESTED: # OF DAYS _____	
From: _____	To: _____
From: _____	To: _____
From: _____	To: _____

Employee Signature _____ Date _____

SUPERVISOR: PLEASE PROVIDE A PLAN FOR COVERAGE OF EMPLOYEE WHILE ON VACATION:

Signature of Supervisor _____ Date _____ Approved Not Approved Explain: _____

Signature of Human Resources _____ Date _____ Approved Not Approved Explain: _____

Final Approval Signature _____ Date _____ Approved Not Approved Explain: _____

HUMAN RESOURCES USE ONLY	
Present Vacation Balance _____	New Balance _____
Number of Days Requested _____	Date _____