

CAL POLY POMONA FOUNDATION, INC.
PERSONNEL COMMITTEE
Wednesday, May 15, 2024
2:00 – 3:30 p.m.
 Join Zoom Meeting
<https://cpp.zoom.us/j/85170007470>
 Meeting ID: 851 7000 7470

Committee Chair: Dr. Phyllis Nelson

Committee Members: Kimberly Allain, Mayra Brown, April Jimenez-Valadez, Anissa Patel, Dr. Homeyra Sadaghiani, Dr. Martin Sancho-Madriz, Maryann Tolano-Leveque

Staff: Shari Benson, Claudia Burciaga-Ramos, Jared Ceja, Lisa Coats, Ernest Diaz

I. ACKNOWLEDGEMENT OF MEMBERS OF THE PUBLIC

Who may or may not be commenting on a specific item or making a general comment.

II. CONSENT ACTION ITEMS

Items in this section are considered to be routine and acted on by the committee in one motion. Each item of the Consent agenda approved by the committee shall be deemed to have been considered in full and adopted as recommended. Any committee member may request that a consent item be removed from the consent agenda to be considered as a separate action item. If no additional information is requested, the approval vote will be taken without discussion. An "A" distinguishes items requiring approval.

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III. GENERAL UPDATES

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| B. CEO's Report | Jared Ceja, CEO | 5 – 6 |
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IV. ACTION ITEMS

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| C. Job Title List Update for Cal PERS (Attachment) | Shari Benson | 7 – 12 |
| D. Employee Handbook Update (Attachment) | Shari Benson | 13 – 24 |
| E. Foundation Longevity Pay Plan Contribution (Attachment) | Jared Ceja | 25 – 26 |
| F. PARS Conversion (Attachment) | Shari Benson | 27 - 28 |

V. CLOSED SESSION ACTION ITEM

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| G. Compensation Review for CEO | Shari Benson | |
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VI. OPEN FORUM

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| VII. <u>ADJOURNMENT</u> | Dr. Phyllis Nelson | |
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CAL POLY POMONA
ENTERPRISES

CAL POLY POMONA FOUNDATION, INC.
PERSONNEL COMMITTEE
Friday, February 16, 2024 at 1:00 p.m.

MINUTES

Notice is hereby given that a regular meeting of the Personnel Committee was held by video conference or teleconference on Friday, February 16, 2024, at 1:00 pm to discuss matters on the posted agenda. The meeting notice in its entirety was posted on the internet at: <https://foundation.cpp.edu/meetingpackets.aspx#ftab5>

Present: Dr. Phyllis Nelson, Kimberly Gretchen Allain, Mayra Brown, April Jimenez-Valadez, Anissa Patel, Dr. Homeyra Sadaghiani, Dr. Martin Sancho-Madriz

Absent: Dr. Maryann Tolano-Leveque

Staff: Shari Benson, Claudia Burciaga-Ramos, Jared Ceja, Lisa Coats, Ernest Diaz

CALL TO ORDER

Chair Phyllis Nelson called the meeting to order at 1:00 p.m.

CONSENSUS ACTION ITEMS

1. Approval of Minutes – September 22, 2023
A motion was made by Dr. Homeyra Sadaghiani and seconded by April Jimenez-Valadez to approve the September 22, 2023, minutes; no opposition, the minutes were approved.

GENERAL UPDATES

2. CEO's Report

Jared Ceja's report opened with a discussion of unplanned events that impacted staff and led to a loss of about half a million dollars. Events mentioned included Hurricane Hilary, campus strikes, and the atmospheric river. These events restricted operations and limited students on campus. Due to the events, the vast majority of student and part-time shifts were cut other than students living on campus, and essential full-time staff working on site. Others with approved remote plans were able to work remotely, some shifts were moved to Saturday, and a few chose to take a vacation day. Jared stated that these events will act as a reference for future disruptions.

Jared mentioned that the CPGE Assistant Director on the training and development side is moving out of state; this role is critical for CPGE's stability and growth. A retired annuitant candidate, who can join as the interim AD while CPGE recruits/trains, has been identified. This request would normally start as an action item, but timing did not allow it, and it will be part of the BOD packet. Jared announced the transition of Joanne Mathew to a part-time consulting and special project's role plus helping with the onboarding of the new CFO. Her last day as CFO will be February 29th.

Jared spoke of the annual CalPERS Public Agency Valuation Reports assessment for the Miscellaneous First Tier Plan, which is based on the 2% at 55 formula with an estimated funding level of 77.3% as of June 30, 2022, and a projected employer contribution rate for FY 2024–25 of 13.88% of covered payroll. The miscellaneous second-tier plan is based on the 2% at 60 formula with an estimated funded level of 89.8% as of June 30, 2022, and a projected employer contribution rate for FY 2024–25 of 10.15%. The PEPRA Miscellaneous Plan is based on a 2% at 62 formula with an estimated funded level of 87.6% as of June 30, 2022, and a projected employer contribution rate for FY 2024–25 of 7.87%. This item will be brought to F&I and the BOD as well. A question was raised by committee member Dr. Sadaghiani with regards to how CalPERS funding works. Mr. Ceja answered that CalPERS receives funds through two sources: the funding that the company provides to CalPERS on behalf of the employees for their retirement, and the direct amount that comes out of the employees' paychecks to contribute to the program. Because CalPERS is a defined benefit, retirees/potential retirees know exactly how much they are going to get on a month-to-month basis. Market activity, whether the portfolio for CalPERS is performing well or not, dictates if there is a need for an injection from organizations to keep it funded and

moving forward. The cost of the program is part of the reason the legislature changed the formula from 2% at 55 to 2% at 62, meaning if someone retires at the age of 62, they get their number of years of service multiplied by 2; if they had 30 years of service, they get 60% of their average highest 3-year salary in their retirement. The Foundation's obligation is to continue to monitor funding with CalPERS, inject more money when appropriate, and adjust the contribution rates. Mr. Ceja reiterated that the Foundation's funding proportions are strong; they are above the minimum standards and near the top in terms of the funding threshold.

Mr. Ceja mentioned that currently the almost 1,400 student employees within the organization can apply for the Enterprises Pepsi Scholarships. There will be between \$25,000 and \$50,000 to distribute this year, with an amount of \$1,000 each to help students with food, room, board, and course materials.

INFORMATION & DISCUSSION ITEMS

3. Upcoming 3-Year Performance Review for CEO

Shari, CHRO, informed the committee that this formal evaluation process is conducted after the completion of one full year and every three years after. The timing shall correspond with the end of the fiscal year to allow all the board members to participate, as well as the individuals that report directly to the CEO and outside influencers who interact with the CEO. The process is as follows:

- The CHRO, Executive Assistant, Consultant, or designee will send the survey to all board members, non-board members of board committees, foundation directors, foundation associate directors, and any other current direct reports to the CEO.
- The CEO is given the option to select up to twelve, but no less than six, additional foundation, university, ASI, student, industry, or community partners to participate in the survey.
- All survey results are compiled by the CHRO, Executive Assistant, Consultant, or designee and given to the Chair, Vice Chair, and Personnel Committee Chair.
- The CEO will provide a self-evaluation that highlights accomplishments and challenges over the evaluation period for submission to the Board Chair, Vice Chair, and Personnel Committee Chair.
- The Board Chair, Vice Chair, and Personnel Committee Chair review the survey results with the Board Executive Committee to garner additional input and prepare the final performance appraisal.
- The final performance appraisal is given to and discussed with the CEO by the board chair, vice chair, personnel committee chair, or other board designee(s), with a copy retained by the CHRO.
- An executive summary is shared with the full board in the executive session. The board chair or designee follows with a brief statement in an open session for inclusion in the public minutes.

4. Budget Assumptions for 2024/2025

Mr. Ceja presented the personnel-related budget assumptions that will factor into the total budget to be presented to the board in the next quarter. Currently, the team is budgeting a 3.5% general wage increase for staff and a 2.5% merit pool for performance. The team will also factor in a California minimum wage of \$18 per hour to accommodate a potential increase effective January 1, 2025, and the pending \$20 per hour for April 1st, 2024 (as defined in AB 1228), for the franchise dining locations. Exempt employees must earn at least twice the minimum wage, or \$36 per hour (\$74,880 per year). Staffing levels vary between fall, spring, and summer based on need, with a focus on student employment to the best extent possible (entry level, leads, and first-level supervision).

ACTION ITEMS

5. Salary Range Update for April 2024

Mr. Ceja informed the committee that legislation was increasing the minimum wage for fast food workers to \$20.00 per hour in mid- and large-sized franchise locations. The minimum wage increase will go into effect on April 1, 2024. Enterprises operates several locations that are considered applicable fast food franchises (Qdoba, Subway, Carl's Jr., Roundtable, and Starbucks). Panda and Hibachi San are also impacted. To fulfill the new employee minimum wage obligations, adjustments will need to be made to the current employee-grade salary. The proposed changes include a growth path for student employees and range updates for the staff roles that work with and supervise them. There are efforts underway to exempt colleges and universities from this legislation, similar to the exemption granted to corporate campuses, airports, and state parks. If this exemption goes through, then the Enterprises would maintain the current structure with no range adjustments until July 1, 2024. Grant pay grades were placed in a separate category in order to prevent them from being impacted by industry-specific legislative changes to commercial services. This change allows grants the ability to remain within the budget they presented to grantors. A question was raised by committee member Brown about whether prices have to be raised or staff cut back. Mr. Ceja replied that, if applicable, there would be an expected increase in the cost to the franchise locations similar to what is seen on the mass market. The staffing is at a point where there is not much extra

to trim. However, we will be analyzing business hours and other specifics for potential adjustment. The thought is that it might positively impact the non-franchise locations due to their more competitive prices. A second question was raised by committee member April Jimenez with regard to how many students will be impacted by the new franchise salary minimum grade pay rate. Shari answered with the number of approximately 60 students.

A motion was made by Dr. Sadaghiani and seconded by Kimberly Allain to adapt the new salary grades. The Personnel Committee approved the updates to the Salary Grade Structure as presented, contingent upon the \$20 franchise dining minimum wage going into effect, and forwards the resolution to the Board of Directors for consideration at the next scheduled meeting. Upon approval of this resolution by the Board of Directors, the CEO and CHRO are authorized and directed to take any and all action as may be necessary to effectuate this resolution.

6. Policy Update – 209 Non-Discrimination and Affirmative Action

Shari Benson introduced the updated Policy 209: Nondiscrimination and Affirmative Action with new updates since 2011. The proposed updates include changing the name to fit more with the purpose of affirmative action and equal opportunity, adding in the EEO Policy Statement, providing information on responsibilities reporting, and correcting the name from Paul Storey to Jared Ceja. A question was raised by committee member Kimberly Allain about considering renaming or removing the affirmative action title from the revised policy given the recent U.S. Supreme Court decision that universities were an affirmative action group. Shari agreed with the name change recommendation. Per Dr. Nelson's recommendation, the committee will participate in an electronic vote to change the policy name, along with replacing Jared Ceja's name with his staff title as CEO, in order to make the policy more lasting.

A motion was made by Dr. Homeyra Sadaghiani and seconded by April Jimenez-Valadez to electronically vote on the updates to policy 209 as initially proposed with the amended name as discussed, from Affirmative Action and Equal Opportunity to Equal Employment Opportunity, plus replace the name of Jared Ceja with his staff title as CEO. The motion passed with a majority electronic vote, and the policy name and other updates were made. The committee forwards the resolution to the Board of Directors for consideration at the next scheduled meeting, and upon approval of this resolution by the Board of Directors, the CEO and CHRO are authorized and directed to take any and all action as may be necessary to effectuate this resolution.

7. Policy Update – 211 Policy Against Harassment

Shari Benson introduced the updated corporate policy 211: Discrimination, Harassment, and Retaliation. The proposed revisions included information on pay transparency as well as updating the name. The policy name reads unlawful, yet the organization cannot decide what is unlawful. The policy update also matches the updated employee handbook versus the policy that was on the website and the policy for distribution.

A motion was made by Dr. Sadaghiani and seconded by April Jimenez-Valadez. The Personnel Committee approves the updates to Policy 211: Discrimination, Harassment, and Retaliation as presented and forwards the resolution to the Board of Directors for consideration at the next scheduled meeting. Upon approval of this resolution by the Board of Directors, the CEO and CHRO are authorized and directed to take any and all action as may be necessary to effectuate this resolution.

OPEN FORUM

April Jimenez-Valadez asked if the logo on the policies could be updated to be consistent with the Enterprises logo. Jared explained that the reason the logo has not been updated is because we know there is a full logo change coming once we finish the rebranding project in conjunction with the University branding work. What we are currently using is the wordmark for identification on campus; we are still working with the university as to what the new logo could look like.

ADJOURNMENT

A motion was made by April Jimenez-Valadez to adjourn the meeting. There was no opposition; the meeting was adjourned at 1:42 p.m.

Dr. Phyllis Nelson, Chair
Personnel Committee



CAL POLY POMONA
ENTERPRISES

CEO's Report

May 15, 2024

Personnel Committee

Topics

- ▶ Welcome Back Tariq Marji, Interim CFO
- ▶ Budget Assumptions Reminder
- ▶ LA County Fair
- ▶ Franchise Minimum Wage Change
- ▶ Spring Town Hall 2024
- ▶ C/O 2024 Numbers



Memorandum

Date: May 15, 2024

To: Personnel Committee

From: Shari Benson, CHRO

Attached: Salary Grades with Job Titles (effective 07/01/2023)
Salary Grades with Job Titles (effective 07/01/2024)

Subject: Annual Update to Job Title & Position List for CalPERS

Each year, Management reviews job titles and grades. This information is then submitted to Cal-Pers for position tracking. All compensation ranges were previously approved by the Board of Directors.

This year's update represents significant progress on the goal of consolidating overly specific titles into more generalized groupings and the addition of levels as well as a separation for exempt positions that fall under Campus Programs and Grants.

PROPOSED ACTION:

The following resolution is recommended for approval:

WHEREAS, Management is requesting the Personnel Committee's approval to forward the following resolution to the Board of Directors for their consideration:

BE IT RESOLVED, that the Personnel Committee has reviewed and approved the Annual Update to Position List for CalPERS, as presented, for consideration by the Board of Directors at the next regularly scheduled meeting.

BE IT FURTHER RESOLVED, that upon approval of this resolution by the Board of Directors, the CEO and CHRO are authorized and directed to take any appropriate action necessary to implement this Resolution.

PASSED AND ADOPTED THIS 15TH DAY OF MAY 2024.

Dr. Phyllis Nelson, Chair
Personnel Committee

SALARY GRADES with JOB TITLES
Effective July 1, 2023

| Salary Grade | Minimum | Maximum | Job Title | Pay Frequency |
|------------------------|---------|---------|---|---------------|
| Grade 7 | \$15.50 | \$25.58 | Academic Advisor | Hourly |
| | | | Accounts Specialist | Hourly |
| | | | Accounts SpecialistII | Hourly |
| | | | AdminAsstI | Hourly |
| | | | Assistant Project Coordinator I | Hourly |
| | | | Buyer Assistant | Hourly |
| | | | Crew Member | Hourly |
| | | | Catering Coordinator | Hourly |
| | | | Cook | Hourly |
| | | | Facilities Worker III | Hourly |
| | | | Farm Labor II | Hourly |
| | | | Floor Supervisor | Hourly |
| | | | General Office Support | Hourly |
| | | | Grants Specialist | Hourly |
| | | | IT Office Coordinator | Hourly |
| | | | NR_Gen_Admin_Coordinator | Hourly |
| | | | Nursery Coordinator | Hourly |
| | | | Office Assistant | Hourly |
| | | | Office Support | Hourly |
| | | | Outreach Assistant | Hourly |
| ShippingReceiving Asst | Hourly | | | |
| System Coordinator | Hourly | | | |
| UV_MailClerk | Hourly | | | |
| Vault Cashier II | Hourly | | | |
| Grade 8 | \$18.29 | \$30.18 | Accounts Specialist III | Hourly |
| | | | Area Coordinator | Hourly |
| | | | Assistant Program Coordinator | Hourly |
| | | | Community Development Specialist Gr8 | Hourly |
| | | | Coordinator I | Hourly |
| | | | Course Materials Coordinator | Hourly |
| | | | General Maintenance | Hourly |
| | | | Grants Specialist II | Hourly |
| | | | Maintenance_Lead | Hourly |
| | | | Payroll Specialist | Hourly |
| | | | POS Technician | Hourly |
| | | | Residential International Housing and Con | Hourly |
| | | | Resource Coordinator | Hourly |
| | | | Service Lab Coordinator | Hourly |
| | | | Specialty Crop Farm Supervisor | Hourly |
| | | | Supervisor | Hourly |
| Web Developer | Hourly | | | |
| Grade 9 | \$21.58 | \$35.61 | Agriculture Laborer Lead | Hourly |
| | | | Advisor | Hourly |
| | | | Administrative Assistant | Hourly |
| | | | Accounts Payable Supervisor | Hourly |
| | | | Assistant Manager | Hourly |
| | | | Dietician | Hourly |
| | | | Financial Systems Support | Hourly |
| | | | Human Resources Generalist | Hourly |
| | | | Information Security Analyst | Hourly |

SALARY GRADES with JOB TITLES
Effective July 1, 2023

| Salary Grade | Minimum | Maximum | Job Title | Pay Frequency |
|-------------------|----------|-----------|--|---------------|
| | | | Marketing Coordinator II | Hourly |
| | | | Outreach Coordinator | Hourly |
| | | | Sous Chef | Hourly |
| | | | | |
| Grade 10 - Hourly | \$25.47 | \$42.02 | Administrative Assistant III | Hourly |
| | | | Assistant Director Residential | Hourly |
| | | | Brewery Cafe Manager | Hourly |
| | | | Fin_Sys_Accountant | Hourly |
| | | | HVAC Technician | Hourly |
| | | | Kellogg House Coordinator_Sr. | Hourly |
| | | | Learning-Reading Specialist-Advisor | Hourly |
| | | | Manager | Hourly |
| | | | Operations Manager | Hourly |
| | | | Program Coordinator | Hourly |
| | | | UB_Program Advisor | Hourly |
| Grade 10 - Salary | \$64,480 | \$87,403 | AsstDirLeadershipDev | Salary |
| | | | AsstDirLeadershipRetail | Salary |
| | | | Conference Sales Mgr | Salary |
| | | | Coordinator III | Salary |
| | | | Digital Content Strategist | Salary |
| | | | Facilities Supervisor | Salary |
| | | | NR_ProjectCoordinator | Salary |
| | | | Payroll Supervisor | Salary |
| | | | Program Coordinator | Salary |
| | | | Retail Manager | Salary |
| | | | Research Associate | Salary |
| | | | | |
| Grade 11 | \$65,000 | \$107,250 | AR_Supervisor | Salary |
| | | | Communications & External Relations Spec | Salary |
| | | | Executive Assistant | Salary |
| | | | Facilities Manager | Salary |
| | | | Farm-StoreSupvr | Salary |
| | | | Human Resources Manager | Salary |
| | | | Manager | Salary |
| | | | Marketing and Branding Dev | Salary |
| | | | Outreach Coordinator | Salary |
| | | | Property Manager | Salary |
| | | | System Manager | Salary |
| | | | Tehnology Manager | Salary |
| | | | | |
| Grade 12 | \$78,000 | \$128,700 | Assistant Director | Salary |
| | | | Director_Grants | Salary |
| | | | Director-Talent Search | Salary |
| | | | Executive Chef | Salary |
| | | | General Business Manager | Salary |
| | | | Grants and Contracts Manager | Salary |
| | | | Manager-Retail Information Technology | Salary |
| | | | Staff / Research Scientist | Salary |
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SALARY GRADES with JOB TITLES
Effective July 1, 2023

| Salary Grade | Minimum | Maximum | Job Title | Pay Frequency |
|---------------------|----------------|----------------|---|----------------------|
| Grade 13 | \$93,600 | \$154,440 | Associate Director | Salary |
| | | | Director_UB Programs | Salary |
| | | | Director-AGRIscares Outreach and Urban Farm | Salary |
| | | | Business Manager | Salary |
| | | | Jr-Dir for Grants | Salary |
| | | | Project Director | Salary |
| Grade 14 | \$112,320 | \$185,328 | Director | Salary |
| Grade 15 | \$134,784 | \$222,394 | Sr. Director | Salary |
| Grade 15 | \$134,784 | \$222,394 | CFO | Salary |
| Grade 15 | \$134,784 | \$222,394 | Associate Executive Director_COO | Salary |
| Grade 16 | \$161,741 | \$266,872 | Executive Director_CEO | Salary |

Revised as of 5/01/2023 and adopted by the Board effective as of 7/1/2023

SALARY GRADES WITH JOB TITLES

Effective July 1, 2024

| Salary Grade | Minimum | Maximum | HR Default Job Title | Pay Type | Pay Frequency |
|--------------|---------|---------|---------------------------------|----------|---------------|
| Grade 7 | \$16.00 | \$27.20 | Advisor I | Hourly | Biweekly |
| | | | Assistant Project Coordinator I | Hourly | Biweekly |
| | | | Crew Member | Hourly | Biweekly |
| | | | Cook | Hourly | Biweekly |
| | | | Facilities Worker I | Hourly | Biweekly |
| | | | Farm Labor I | Hourly | Biweekly |
| | | | Assistant | Hourly | Biweekly |
| | | | Office Support | Hourly | Biweekly |
| | | | Vault Cashier | Hourly | Biweekly |
| | | | Coordinator I | Hourly | Biweekly |
| | | | Specialist I | Hourly | Biweekly |

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|---------|---------|---------|-----------------------|--------|----------|
| Grade 8 | \$19.04 | \$32.37 | Coordinator II | Hourly | Biweekly |
| | | | General Maintenance I | Hourly | Biweekly |
| | | | Specialist II | Hourly | Biweekly |
| | | | Technician | Hourly | Biweekly |
| | | | Supervisor I | Hourly | Biweekly |
| | | | Web Developer | Hourly | Biweekly |
| | | | Advisor II | Hourly | Biweekly |
| | | | Admin Asst I | Hourly | Biweekly |

| | | | | | |
|---------|---------|---------|---------------------------|--------|----------|
| Grade 9 | \$22.66 | \$38.52 | Agriculture Laborer Lead | Hourly | Biweekly |
| | | | Advisor III | Hourly | Biweekly |
| | | | Admin Asst II | Hourly | Biweekly |
| | | | Supervisor II | Hourly | Biweekly |
| | | | Assistant Manager I | Hourly | Biweekly |
| | | | Dietician | Hourly | Biweekly |
| | | | Generalist | Hourly | Biweekly |
| | | | Specialist III | Hourly | Biweekly |
| | | | Analyst | Hourly | Biweekly |
| | | | Sous Chef | Hourly | Biweekly |
| | | | Coordinator III | Hourly | Biweekly |
| | | | Facilities Lead | Hourly | Biweekly |
| | | | Facilities Maintenance II | Hourly | Biweekly |

| | | | | | |
|-------------------|---------|---------|------------------------------|--------|----------|
| Grade 10 - Hourly | \$26.96 | \$45.84 | Administrative Assistant III | Hourly | Biweekly |
| | | | HVAC Technician | Hourly | Biweekly |
| | | | Manager I | Hourly | Biweekly |
| | | | Advisor IV | Hourly | Biweekly |
| | | | Accountant | Hourly | Biweekly |
| | | | Coordinator IV | Hourly | Biweekly |

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|-------------------|---------|---------|----------------------------|--------|----------|
| Grade 10 - Salary | \$2,560 | \$3,362 | Digital Content Strategist | Salary | Biweekly |
| | | | Research Associate | Salary | Biweekly |
| | | | Coordinator IV | Salary | Biweekly |
| | | | Sr. Asst Manager | Salary | Biweekly |
| | | | Manager II | Salary | Biweekly |

SALARY GRADES WITH JOB TITLES

Effective July 1, 2024

| Salary Grade | Minimum | Maximum | HR Default Job Title | Pay Type | Pay Frequency |
|--------------|---------|---------|----------------------|----------|---------------|
| Grade 11 | \$2,560 | \$4,352 | Executive Assistant | Salary | Biweekly |
| | | | Manager III | Salary | Biweekly |

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|----------|---------|---------|----------------------------|--------|----------|
| Grade 12 | \$3,072 | \$5,222 | Assistant Director | Salary | Biweekly |
| | | | Executive Chef | Salary | Biweekly |
| | | | Sr. Manager | Salary | Biweekly |
| | | | Staff / Research Scientist | Salary | Biweekly |

| | | | | | |
|----------|---------|---------|-----------------------|--------|----------|
| Grade 13 | \$3,686 | \$6,267 | Associate Director | Salary | Biweekly |
| | | | Project Administrator | Salary | Biweekly |

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|----------|---------|---------|-------------------------------|--------|----------|
| Grade 14 | \$4,424 | \$7,520 | Director | Salary | Biweekly |
| | | | Chief of Staff | Salary | Biweekly |
| | | | Chief Human Resources Officer | Salary | Biweekly |

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|----------|---------|---------|-------------------------|--------|----------|
| Grade 15 | \$5,308 | \$9,024 | Sr. Director | Salary | Biweekly |
| | | | Chief Financial Officer | Salary | Biweekly |
| | | | Chief Operating Officer | Salary | Biweekly |

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|----------|---------|----------|-------------------------|--------|----------|
| Grade 16 | \$6,370 | \$10,829 | Chief Executive Officer | Salary | Biweekly |
|----------|---------|----------|-------------------------|--------|----------|

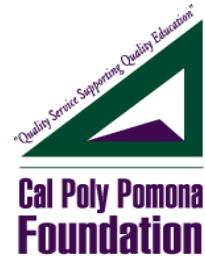
GRANTS/CAMPUS PROGRAMS - EXEMPT POSITIONS

| Salary Grade | Minimum | Maximum | HR Default Job Title | Pay Type | Pay Frequency |
|--------------|---------|---------|-----------------------|----------|---------------|
| G3 | \$3,686 | \$6,267 | Ex Director_Grants | Salary | Biweekly |
| | | | Ex Director_CPrograms | Salary | Biweekly |

| | | | | | |
|----|---------|---------|------------------------------|--------|----------|
| G2 | \$3,072 | \$4,222 | Associate Director_CPrograms | Salary | Biweekly |
| | | | Director_Grants II | Salary | Biweekly |
| | | | Director_CPrograms | Salary | Biweekly |

| | | | | | |
|----|---------|---------|--------------------------------|--------|----------|
| G1 | \$2,560 | \$4,352 | Assistant Director_UB Programs | Salary | Biweekly |
| | | | Director_Grants I | Salary | Biweekly |
| | | | Manager_CPrograms | Salary | Biweekly |
| | | | Research Associate_CPrograms | Salary | Biweekly |
| | | | Coordinator IV_CPrograms | Salary | Biweekly |

Revised as of April 30, 2024 Adopted by the Board as of July 1, 2024



Memorandum

Date: May 15, 2024

To: Personnel Committee

From: Shari Benson, Chief Human Resources Officer

Attachment: Impacted Pages from the Employee Handbook

Subject: **Employee Handbook Changes and Updates**

Periodically, Management and the Human Resources Department review and update the Cal Poly Pomona Enterprises Employee Handbook to account for changes in law, policy, practice, and other circumstances. The last update became effective in May of 2023.

While most changes to the updated Employee Handbook are minor, all substantive updates are found in the attached document with tracked changes. Material changes are 1) sick time – adjusted wording and days allotted per new California law effective January 1, 2024, 2) added language to clarify that off-campus employment is not tax exempt and 3) leave of absence – added new information on Reproductive Leave based on new law effective January 1, 2024.

The Board approved final version will be available on our website for use by current and incoming employees.

PROPOSED ACTION:

The following resolution is recommended by Management for approval:

BE IT RESOLVED, that the Personnel Committee has reviewed and recommends Board approval for the updates to the Cal Poly Pomona Enterprises Employee Handbook as presented.

BE IT FURTHER RESOLVED, that upon approval of this resolution by the Board of Directors, the CEO and CHRO are authorized and directed to take any and all action as may be necessary to effectuate this Resolution and make the revised Cal Poly Pomona Enterprises Employee Handbook available to all employees.

PASSED AND ADOPTED THIS 15th day of May 2024.

Dr. Phyllis Nelson, Chair
Personnel Committee

Company determines that this policy has been violated, remedial action will be taken, commensurate with the severity of the offense, up to and including termination of employment. Appropriate action will also be taken to deter any such conduct in the future.

The federal Equal Employment Opportunity Commission (EEOC) and the California Department of ~~Fair Employment and Housing (DFEH) Civil Rights~~ will accept and investigate charges of unlawful discrimination or harassment at no charge to the complaining party. Information may be located by visiting the agency website at www.eeoc.gov or www.dfeh.civilrights.ca.gov. The ~~DFEH~~ Sexual Harassment Prevention training may be accessed here: ~~<https://www.dfeh.ca.gov/shpt/>~~ <https://civilrights.ca.gov>

Disability and Accommodation

To comply with applicable laws ensuring equal employment opportunities for individuals with disabilities, the Company 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 and/or a direct threat to the health and/or safety of the individual or others would result. Any employee who requires an accommodation in order to perform the essential functions of their job, enjoy an equal employment opportunity, and/or obtain equal job benefits should contact Human Resources to request such an accommodation. Human Resources will communicate with the employee and engage in an interactive process to determine the nature of the issue and what, if any, reasonable accommodation(s) may be appropriate. In some cases, this interactive process may be triggered without a request from the employee, such as when the Company receives notice from its own observation or another source that a medical impairment may be impacting the employee's ability to perform essential job functions.

Employees who believe they need an accommodation must specify, preferably in writing, what barriers or limitations prompted the request. The Company will evaluate information obtained from the employee, and possibly the employee's health care provider or another appropriate health care provider, regarding any reported or apparent barriers or limitations, and will then work with the employee to identify possible accommodations, if any, that will help to eliminate or otherwise address the barrier(s) or limitation(s). If an identified accommodation is reasonable and will not impose an undue hardship on the Company and/or a direct threat to the health and/or safety of the individual or others, the Company will generally make the accommodation, or it may propose another reasonable accommodation which may also be effective. Employees are required to cooperate with this process by providing all necessary documentation supporting the need for accommodation and being willing to consider alternative accommodations when applicable.

The Company will also consider requests for reasonable accommodations for medical conditions related to pregnancy, childbirth and lactation where supported by medical documentation and/or as required by applicable federal, state or local law.

Employees who wish to request unpaid time away from work to accommodate a disability should speak to Human Resources.

Religious Accommodation

The Company will provide reasonable accommodation for employees' religious beliefs, observances, and practices when a need for such accommodation is identified and reasonable accommodation is possible. A reasonable accommodation is one that eliminates the conflict between an employee's religious beliefs, observances, or practices and the employee's job requirements, without causing undue hardship to the Company.

The Company has developed an accommodation process to assist employees, management, and Human Resources. Through this process, the Company establishes a system of open communication between employees and the Company to discuss conflicts between religion and work and to take action to provide reasonable accommodation for employees' needs. The intent of this process is to ensure a consistent approach when addressing religious accommodation requests. Any employee who perceives a conflict between job requirements and religious belief,

per day or week. "Regular benefited" status qualifies the employee for a variety of benefits. These benefits are updated on a regular basis. See the Enterprises [website Benefit Guide](#) for a listing of current benefits [and information](#).

MANAGEMENT COMPENSATION PLAN (MCP)

The Enterprises' Management Compensation Plan (MCP) is designed to cover specific Enterprises employees who have been designated as directors or managers who have primary responsibility for the development and implementation of policies, procedures, practices, and/or guidelines which apply to the Enterprises as a whole, or responsibility for a major operational unit of the Enterprises.

PART TIME [BENEFITTED](#) EMPLOYEES

[Part-Certain positions and/or classifications are identified as "part-time benefited" status. Part-time benefited employees are generally scheduled to work 32 hours per week. However, all work shifts are scheduled according to business needs and this status does not guarantee any employee a minimum number of hours of work per day or week. "Part-time benefited" status qualifies the employee for a variety of benefits. These benefits are updated on a regular basis. See the Enterprises Benefit Guide for information of current benefits and information.](#)

[PART TIME EMPLOYEES](#)

[Part-time employees are generally those hired to work a limited number of hours per week \(e.g. 20 hours per week or less\) and are subject to lay off during seasonal business closures and slowdowns with no guarantee of being rehired. Part time employees are not eligible for certain employee benefits such as health insurance or paid vacation time. Part-time employees are not guaranteed a minimum number of hours of work per day or week. Part time employees are not permitted to work more than 1000 hours in any fiscal year \(July 1st through June 30th\) per CalPERS regulations.](#)

TEMPORARY EMPLOYEES

Temporary employees are those who are hired for specific project assignments of limited duration. They are not eligible for health insurance or paid vacation time, and their length of employment shall be specified, generally not to exceed three months and are not guaranteed a minimum number of hours of work per day or week.

STUDENT EMPLOYEES

Student employees are students who are attending Cal Poly Pomona as undergraduate students enrolled in a minimum of 6.0 units each semester or graduate students enrolled in a minimum of 4.0 units each semester, who may work as an Enterprises employee with certain restrictions. Student employee positions are exempt from FICA and therefore do not make contributions to that program. [Students that work at off-campus employers will be subject to FICA taxes and will make contributions to that program.](#)

Student employees generally work a maximum of 20 hours per week while school is in session. If the student has more than one job, the 20-hour rule applies to total hours worked in combination with all jobs on campus.

Student employees are allowed one semester off during the college year (summer through spring). During the time off, student employees may work a maximum of 40 hours per week. Students who are only enrolled with College of Extended University or Open University do not qualify for student employment but may be considered for other employment categories such as part time or temporary employment.

Other restrictions may apply. Please contact Human Resources Department to discuss how the rules may apply to your specific situation.

As with part time temporary employees, student employees are limited to working an absolute maximum of 1000 hours per fiscal year (July 1st through June 30th).

| Number of Actual Hours Worked Per Shift | # of 10 Minute Rest Breaks | Comments |
|---|----------------------------|---|
| 0 to < 3.5 | 0 | A non-exempt employee who works less than 3.5 hours in a workday is not entitled to a rest break. |
| 3.5 to ≤ 6 | 1 | A non-exempt employee who works between 3.5 and 6 hours in a workday is entitled to one 10-minute rest break. |
| > 6.0 to ≤ 10.0 | 2 | A non-exempt employee who works more than 6 hours in a workday but who does not work more than 10 hours in a workday is entitled to two 10minute rest breaks. |
| > 10.0 to ≤ 14.0 | 3 | A non-exempt employee who works more than 10 hours in a workday but who does not work more than 14 hours in a workday is entitled to three 10minute rest breaks. ¹ |

Whenever practicable, rest breaks should be taken near the middle of each four-hour work period. Employees may not accumulate rest breaks or use rest breaks as a basis for starting work late, leaving work early, or extending a meal period.

Because rest breaks are paid, non-exempt employees should not clock out for them.

RESPONSIBILITIES

Supervisors are responsible for administering their department's meal and rest breaks.

Any non-exempt employee who is not provided with a meal period or authorized and permitted to take a rest break pursuant to the terms of this Policy is immediately entitled to a meal or rest break premium, that is automatically provided through the timekeeping system. Any supervisor who knows or should reasonably know that a meal or rest period was not provided in accordance with this Policy should arrange for a premium to issue to the employee, if it is not automatically provided for some reason. Employees are responsible for reporting to their supervisor any meal break that was not provided or any rest break not authorized and permitted where the supervisor would have no reason to otherwise know of this fact. Any employee who feels they are owed a premium as a result of this Policy, but have not received the premium should report the missing premium immediately to their supervisor.

SECTION 5 COMPENSATION GUIDELINES

PAY GRADES

We use~~The Enterprises~~ is committed to abiding with the Pay Transparency Nondiscrimination provisions and therefore will not retaliate or any other manner discriminate against employees or applicants because they have inquired about, discussed or disclosed their own pay or of another employee or applicant. However, employees who have access to the compensation information of other Enterprises employees or applicants as a part of their essential job functions (such as those employees who have administrative privileges in the payroll system, budgeting systems or any employee working in Human Resources) cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a)

¹ Non-exempt employees who work more than 14 hours in a workday may be entitled to additional rest breaks.

in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing or action, including an investigation conducted by the Enterprises, or (c) consistent with the Enterprises' legal duty to furnish information.

The Enterprises uses published pay grades and new employees start employment at the minimum pay grade or above. Compensation increases are never guaranteed and are based on a variety of economic and performance factors, including approval by the Associate Executive Director/COO and/or the Executive Director/CEO and/or Board approval of the annual budget.

PAY PERIODS

Enterprise employees are paid on a bi-weekly basis, every other Friday or as otherwise communicated.

TIMEKEEPING REQUIREMENTS

The Enterprise utilizes a standard timekeeping system for all employees. All employees are required to utilize the timeclock system or work computer to log in. Employees are not authorized to log in from the web or mobile device unless special permission has been granted by the manager. All employees who have logged time for any work paid through Enterprises are required to review and approve their time in the timekeeping system no later than 9:00 am on the first Monday of a new pay period.

Nonexempt employees are required to report accurate working hours for each pay period they work (exact arrival and departure times) and when they depart and return from their meal period. "Hours worked" is defined by law as all-time an employee is subject to the control of an employer, and includes all time that an employee is suffered or permitted to work, whether or not required to do so.

Falsifying or making unauthorized changes to any timekeeping record or clocking in from an unauthorized device will result in disciplinary action including termination of employment.

At the end of the pay period, employees will be asked to confirm 1) that their ~~time-card~~timecards are accurate and 2) that they have been relieved of all duty and otherwise provided all of their meal periods and rest breaks during a particular pay period, or in the alternative, to identify any meal periods or rest breaks that they have missed.

At no time may any employee perform off-the-clock work or otherwise alter, falsify or manipulate any aspect of their time-keeping records to inaccurately reflect or hide hours worked, meal periods taken or time spent working during meal periods.

The obligation to accurately record all hours worked does not relieve employees of their obligations to obtain advance approval before working overtime or hours beyond the regular work schedule. Employees who work beyond their regularly scheduled work hours, including overtime or off-schedule hours, without prior authorization are subject to disciplinary action, which may include termination of employment.

All supervisors and employees are responsible for maintaining accurate timekeeping records. All supervisors are required to review and approve the time for their respective employees no later than 3:30PM on the first Monday of each new pay period. Human Resources will communicate variances in this deadline due to holidays, closures or other occasions impacting the ability for supervisors to perform this function.

All time entry problems or errors should be reported immediately to your supervisor.

Exempt Employees

Employees who are classified as exempt must record absences from work for reasons such as leaves of absence, sick leave or vacation.

Requesting Paid Sick and Safe Time

When the need for paid sick and safe time use is foreseeable, employees must provide reasonable advance oral or written notice to their supervisor for any absence from work. If the need for paid sick and safe time is unforeseeable, employees must provide notice to their supervisor of the need to use the time as soon as practicable. In all circumstances, employees must specify that the requested time off is for sick or safe time reasons (as opposed to, for example, vacation time), so that the absence may be designated accordingly. Failure to obtain approval as soon as possible after determining the need to take such time may result in discipline.

Rate of Pay for Sick and Safe Time

For nonexempt employees, pay for sick and safe time is calculated in the same manner as the employee's regular rate of pay for the workweek in which the employee uses sick and safe time, regardless of whether the employee works overtime in that workweek. For exempt employees, payment for sick and safe time is calculated in the same manner as wages are calculated for other forms of paid leave time.

Carryover

Accrued but unused paid sick and safe time will carry over from year to year- with the exception of employees that receive the lump sum at the beginning of the year; unused hours do not carry over but reset at the beginning of each calendar year.

Separation from Employment

Compensation for accrued and unused sick and safe time is not provided upon separation from employment for any reason. If an employee is rehired by the Company within 12 months of separation from employment, previously accrued but unused sick and safe time will immediately be reinstated (up to the maximum of 48 hours or the equivalent of six days (per the employee's previous work schedule)). Rehired employees will be allowed immediate use of this time and to accrue additional paid sick days upon rehiring, consistent with the use and accrual limitations of this policy.

Confidentiality

The Company will keep confidential the health information of the employee or employee's covered family member, as well as information related to domestic violence perpetrated against or sexual assault of the employee or employee's covered family member. Such information will not be disclosed except to the affected employee or as required by law.

Effect on Other Rights and Policies

The Company may provide other forms of leave for employees to care for medical conditions or for issues related to domestic violence under certain federal, state and municipal laws. In certain situations, leave under this policy may run at the same time as leave available under another federal, state or municipal law, provided eligibility requirements for that law are met. The Company is committed to complying with all applicable laws. Employees should contact Human Resources for information about other federal, state and municipal domestic violence, medical or family leave rights.

No Discrimination or Retaliation

The Company prohibits discrimination and/or retaliation against employees who request, or use paid sick and safe time for authorized circumstances or for making a complaint or informing a person about a suspected violation of this policy. Likewise, the Company prohibits discrimination and/or retaliation for cooperating with city or state officials in investigating claimed violations of any paid sick leave law (including the HWHFA), cooperating or participating in any investigation, administrative hearing or judicial action regarding an alleged violation, opposing

Because exempt employees receive their full salary during weeks in which they work, all exempt employees who need lactation accommodation breaks do not need to report any extra break time as "unpaid."

The Company will provide employees with the use of a room or other location to express milk in private. The lactation room or other location will not be a bathroom and will be safe, clean, free from hazardous materials, in close proximity to the employee's work area, shielded from view and free from intrusion by co-workers and/or the public. This location may be the place where the employee normally works, if applicable. The lactation room or other location will include a surface on which to place a breast pump or other personal items, a place to sit and electricity or alternative devices (e.g., an extension cord or charging station) needed to operate an electric or battery powered breast pump. Lactating employees who pump breastmilk will also have access to a sink with running water and a refrigerator or alternative cooling device suitable for storing milk in close proximity to their workspace.

A room or other location identified for lactation may also be used for other purposes. However, during times when an employee is using the location for lactation purposes, that use will take precedence over all other uses. Employees who have questions or concerns related to lactation room scheduling conflicts should contact their supervisor or a Human Resources representative. Any non-exempt employee who is not provided with a break as requested to express milk, should immediately contact Human Resources.

Lactation is considered a pregnancy-related condition under California law.

Employees who wish to request lactation accommodation should contact Human Resources. If the Company cannot provide break time or a location that complies with this Lactation Accommodation policy, the employee requesting the accommodation will be notified in writing.

The Company will not discriminate or retaliate against an employee who requests or uses a lactation accommodation in accordance with this policy or otherwise exercises their rights under California's lactation accommodation law. Employees who feel their lactation accommodation rights have been violated can file a complaint with the California Labor Commissioner's Office.

FAMILY LEAVE (FMLA AND CFRA)

Family and Medical Leave

The Company will grant family and medical leave in accordance with the requirements of applicable federal and state law in effect at the time the leave is granted. Although the federal and state laws have different names, the Company refers to the federal Family and Medical Leave Act (Fed-FMLA) and the California Family Rights Act (CFRA) collectively as "FMLA Leave." In any case, employees will be eligible for the most generous benefits available under applicable law.

Employee Eligibility

To be eligible for FMLA/CFRA Leave, employees must: (1) have been employed by the Company for a total of at least 12 months (not necessarily consecutive); (2) have worked at least 1,250 hours during the previous 12 months immediately prior to the start of the leave; and (3) (Fed-FMLA only) have worked at a location where at least 50 employees are employed by the Company within 75 miles of the employee's worksite, as of the date the leave is requested. Eligibility requirements may differ for employees who have been on a protected military leave of absence. If employees are unsure whether they qualify for FMLA Leave, they should contact Human Resources.

Reasons for Leave

Federal and state laws allow FMLA Family Leave for various reasons. Because employees' legal rights and obligations may vary depending upon the reason for the FMLA Leave, it is important to identify the purpose or reason for the leave. Fed-FMLA leave and CFRA leave run concurrently except for the following reasons: to care for a child without regard to age or dependency status, registered domestic partner, a child of a registered domestic partner, grandparent, grandchild, parent-in-law, sibling or designated person(s) (CFRA only), incapacity due to pregnancy or

Benefits During Leave

The Company will continue making contributions to employees' group health benefits during their leave on the same terms as if the employees had continued to actively work. This means that if employees want their benefits coverage to continue during their leave, they must also continue to make the same premium payments that they are now required to make for themselves or their dependents. Employees taking leave for a reason that is common to both Fed-FMLA and CFRA and, therefore, leave is running concurrently, will generally be provided with group health benefits for a 12-workweek period. When employees take leave for a reason that is not common to both Fed-FMLA and CFRA and, therefore, leave is running consecutively, the Company will continue the employee's health insurance benefits for up to a maximum of 12 workweeks in a 12-month period during each applicable leave. Employees taking Military Caregiver Leave may be eligible to receive group health benefits coverage for up to a maximum of 26 workweeks. In some instances, the Company may recover premiums it paid on an employee's behalf to maintain health coverage if the employee fails to return to work following ~~FMLA~~ Leave.

An employee's length of service will remain intact, but benefits such as vacation and sick leave ~~may~~will not accrue while on ~~an~~-unpaid FMLA/CFRA Leave.

Job Reinstatement

Under most circumstances, employees will be reinstated to the same position they held at the time of the leave or to an equivalent position with equivalent pay, benefits and other terms and conditions of employment. If an employee becomes unqualified during ~~CFRA~~ leave as a result of not attending a necessary course, or renewing a license, the employee will be given a reasonable opportunity to fulfill those conditions upon returning to work. Further, the Company may grant an employee's request to work a different shift, in a different or better position, or in a different location, that is better suited to the employee's personal needs upon returning from ~~CFRA~~ leave. The Company will also consider a reasonable accommodation under the FEHA if the employee is returning from ~~CFRA~~ leave for his or her own serious health condition. However, employees have no greater right to reinstatement than if they had been continuously employed rather than taken leave. For example, if an employee would have been laid off or his or her position would have been eliminated even if he or she had not gone on leave, then the employee will not be entitled to reinstatement. However, if an employee has been replaced or the employee's position was restructured to accommodate the employee absence, the employee is entitled to reinstatement.

Prior to being allowed to return to work, an employee wishing to return from a Serious Health Condition Leave must submit an acceptable release from a health care provider that certifies the employee is able to resume work. For an employee on intermittent or reduced schedule ~~FMLA~~ Leave, such a release may be required up to once every 30 days if reasonable safety concerns exist regarding the employee's ability to perform his or her duties, based on the serious health condition for which the employee took the intermittent or reduced schedule leave.

For Fed-FMLA purposes only, key employees may be subject to reinstatement limitations in some circumstances. If employees are considered a "key employee," those employees will be notified of the possible limitations on reinstatement at the time the employee requests a leave of absence, or when leave begins, if earlier.

Confidentiality

Documents relating to medical certifications, recertifications or medical histories of employees or employees' family members will be maintained separately and treated as confidential medical records, except that in some legally recognized circumstances, the records (or information in them) may be disclosed to supervisors and managers, first aid and safety personnel or government officials.

Fraudulent Use of FMLA/CFRA Leave Prohibited

An employee who fraudulently obtains FMLA Leave from the Company is not protected by the Fed-FMLA's or the CFRA's job restoration or maintenance of health benefits provisions. In addition, the Company will take all available appropriate disciplinary action against an employee due to such fraud.

The Company will not discriminate or retaliate against any employee because of the employee's status as a victim of crime or abuse, if the employee provides the Company notice of such status, the Company has actual knowledge of such status, or the employee takes or requests leave in accordance with this policy.

Employees who have questions about this policy or who wish to request a leave of absence under this policy should contact their Human Resources representative.

REPRODUCTIVE LEAVE

The Enterprises will provide leave to employees that would have been the parent of a child born or adopted. Eligible employees can receive up to five (5) days of leave for a reproductive loss event. Employees can, but do not have to, take their leave days consecutively. This means they can choose to take all five days at once or break up the days over a longer period, as long as their leave is completed within three months of the reproductive loss event. To be eligible, the employee must have worked for at least 30 days.

When a single reproductive loss event occurs over several days, the law treats it as one event. If an employee experiences more than one reproductive loss event in a year, they are entitled to no more than 20 days of reproductive loss leave in that one-year period unless an individual employer's leave policy provides for more time.

DEFINITIONS

A reproductive loss event is any of the following:

• Miscarriage

• Stillbirth

• Failed adoption – for example, if a birth mother or legal guardian breaches or dissolves an adoption agreement, or if an adoption is not finalized for another reason

• Failed surrogacy – for example, if a surrogate breaches or dissolves a surrogacy agreement, or if an embryo transfer fails

• Unsuccessful assisted reproduction – for example, a failed intrauterine insemination or embryo transfer

LEAVE TO ATTEND JUDICIAL PROCEEDINGS RELATED TO CERTAIN FELONIES

The Company prohibits discrimination against an employee who wishes to take time off from work to attend judicial proceedings related to certain violent, serious or theft/embezzlement related felonies committed against the employee, the employee's immediate family member, the employee's registered domestic partner or a child of the employee's registered domestic partner.

"Immediate family member" is defined as an employee's spouse, child, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father or stepfather.

Before an employee may be absent from work to attend a judicial proceeding, the employee must give the employer a copy of the notice of each scheduled proceeding that is provided to the victim by the agency responsible for providing notice, unless advance notice is not feasible. When advance notice is not feasible or an unscheduled absence occurs, the employee must provide within reasonable time documentation evidencing the judicial proceeding from (1) the court or government agency setting the hearing; (2) the district attorney or prosecuting attorney's office; or (3) the victim/witness office that is advocating on behalf of the victim.

warranting confidentiality will be handled appropriately and information will be disclosed to others only on a need-to-know basis. The Enterprises will actively intervene at any indication of a possibly hostile or violent situation.

Human Resources takes reasonable risk reduction measures by conducting background investigations and reference checks on new full-time employees and those in sensitive positions to help reduce the risk of hiring individuals with a history of violent behavior.

The Enterprises participates in the University's proactive program in establishing a climate in which individuals know how and when to respond to the threat of violence.

Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such acts will be subject to disciplinary action, up to and including termination of employment, expulsion from the University or civil or criminal prosecution, as appropriate. Non-employees engaged in violent acts on the campus will be reported to the proper authorities and fully prosecuted.

PAY TRANSPARENCY NONDISCRIMINATION PROVISION

Enterprises will not discharge or in any other manner discriminate against current employees or applicants because they have inquired about, discussed or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other Enterprises employees or applicants as a part of their essential job functions (such as those employees who have administrative privileges in the payroll system, ~~or~~ any employee working in Human Resources, any employee involved in budgeting or accounting) cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing or action, including an investigation conducted by the Enterprises, or (c) consistent with the Enterprises' legal duty to furnish information.

Employees who believe they have been subject to harassment or discrimination under any of the above areas should contact the Chief Human Resources Officer, 909-869-2948, or ~~the Enterprises~~Chief Executive Director/CEO Officer.

WHISTLE BLOWER PROTECTION

Enterprises employees are prohibited from engaging in any improper governmental activities or activities that create significant threats to the health and/or safety of the campus community in the performance of their work duties. Enterprises employees and applicants for Enterprises employment should be free to report waste, fraud, abuse of authority, violation of law or threat to public health at the Enterprises without fear of retribution. No individual who makes a protected disclosure or participates in an investigation concerning allegations of improper governmental activity or the existence of a condition that may significantly threaten the health or safety of employees or the public shall for that reason be subjected to personnel action in addition to any penalty or civil liability provided by law. Employees or applicants for employment who believe that they have suffered reprisal, retaliation, threats, coercion or similar acts for having made a protected disclosure may file a written retaliation complaint with their supervisor, manager or directly with the Enterprises Human Resources Department at extension 2958, 2953 or 4378. The complaint alleging retaliation must be signed by the complainant and contain a sworn statement that the contents of the written complaint are true or believed by the complainant to be true, under penalty of perjury.

https://cppEnterprises.formstack.com/forms/covid_safety_inquiry_reporting

COOPERATION DURING AN INVESTIGATION

Although uncommon, it can become necessary for any employee to become involved in an internal investigation regarding a suspected policy violation. You must cooperate fully during any investigation or fact-finding we conduct unless you are informed that cooperation is voluntary. In any investigation, we expect honesty above all. This is true whether you are the complaining party, the accused party, or potential witness.

NON-RETALIATION

The Enterprises encourages reporting of all perceived incidents. It is the policy of the Enterprises] to promptly and thoroughly investigate such reports. Enterprises prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports or provide cooperation during an investigation. Retaliation is a violation of this policy and may result in discipline, up to and including termination. No employee will be discriminated against, or discharged, because of bringing a good faith complaint forward or assisting in an investigation.

Retaliation is itself a violation of this policy and is a serious offense. Complaints regarding allegations of reprisal should be immediately brought to the attention of Chief Human Resources Officer. Retaliation includes any threat, discipline, discharge, demotion, suspension, reduction in employee hours, or any other adverse employment action against an employee for exercising their rights or participating in an investigation.

SECTION 14 CONFLICT RESOLUTION

The Conflict Resolution Policy, Policy #206 as posted on the Enterprises' website, provides employees with a formal procedure for the resolution of problems arising in the course of their employment in a fair and orderly fashion if such problems cannot be resolved informally. Conflict Resolution Steps:

1. The employee should first discuss the problem with their immediate supervisor.
2. If the meeting does not resolve the problem, the problem should be stated in writing to the immediate supervisor. The supervisor will respond in writing.
3. If the employee is not satisfied with the supervisors written response, the employee may appeal in writing to the next level of authority up to and including the Executive Director/CEO.

SECTION 15 PERSONNEL RECORDS

RIGHT TO REVIEW

Employees have a right to inspect certain documents in their personnel file - in the presence of an Enterprises Human Resources Representative at a mutually convenient time. A written request should be presented to a representative of the Human Resources Department to review records. Copies of documents are not permitted with the exception of documents that have been previously signed by the employee. An employee may add their version of any disputed item to the personnel file.

EMPLOYEE REFERENCES OR VERIFICATIONS

All official requests for references or employment verifications on behalf of the Enterprises must be directed to the Human Resources Department. No other manager, supervisor or employee is authorized to release references or employment verifications for current or former employees.

Generally, the Enterprises' practice relating to references or employment verification for current or present employees is to confirm the employee's name, position title, dates of employment, rate of pay (with employee authorization) and whether or not the employee is eligible for re-hire.

This policy is not intended to interfere with the ability of a unit manager to issue letters of reference when requested by individual current or former employees. Letters of reference, if so written, are voluntary and should not be written on Enterprises letterhead unless approved to do so by the Executive Director/CEO. It is highly recommended that individuals seek feedback from Human Resources to ensure that a reference is appropriate.

CHANGE OF PERSONAL RECORD INFORMATION

It is each employee's responsibility to update their personal information whenever a change of address, telephone number or other important personal information has been changed. All active employees may access the payroll system to update their personal information.

SECTION 16

MISCELLANEOUS PROGRAMS AND RECREATIONAL ACTIVITIES

The Enterprises or its insurer will not be liable for the 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.

403(B) TAX DEFERRED ANNUITIES

Employees may participate in the Enterprises' 403(b) plan. Funds withheld in a 403(b) are not taxed as income until it is withdrawn (usually at retirement). If an employee is interested in participating in a 403(b) or would like more information, please contact Human Resources or [visit/review the Enterprises-website/Benefit Guide](#).

457(B) PLANS

All employees (except student employees) are permitted to elect pre-tax payroll contributions at their discretion as soon as they become employed with Enterprises. If an employee is interested in participating in a 457(b) or would like more information, please contact Human Resources or [visit/review the Enterprises-website](#).

~~AFLAC~~

~~(Regular-Benefited-Employees-ONLY)~~

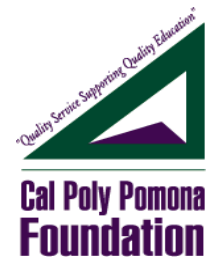
~~The AFLAC program allows eligible employees to enroll in two Flexible Spending Accounts and a variety of supplemental employee benefits plans. AFLAC's Flex One cafeteria plan (un-reimbursed medical expenses) allows an employee to set aside pre-tax dollars to use for specific un-reimbursed medical, dental and vision expenses. Additionally, the Flex Spending Account provides for a dependent care account to permit an employee to set aside pre-tax dollars to use for dependent care expenses.~~

~~AFLAC also offers eligible employees other supplemental plans including Personal Accident Expense Plan, Personal Short-Term Disability Plan, Personal Cancer Indemnity as well as other plans. For a complete description of AFLAC Plans, please contact the Human Resources Department. Open enrollment is held during the month of November each year and plans are effective January through December. [Benefit Guide](#).~~

USE OF CAMPUS FACILITIES

Employees may use any public campus dining facilities including Campus Center Marketplace, Bronco Student Center, CenterPointe Dining Commons, Innovation Brew Works, various Cafés, and Kellogg West Restaurant (discounts may apply). Kellogg West Hotel & Conference Center, the Bronco Bookstore, and all other public-facing services are also available (discounts may apply).

The University's physical education facilities are primarily used for instructional purposes, however, they are available for use by employees, as designated by the Health, Physical Education and Recreation Department. Library services are also available to all employees who provide appropriate identification.



Memorandum

Date: May 15, 2024
To: Personnel Committee
From: Jared Ceja, CEO
Attached: Total FLPP Contributions for 2024

Longevity Pay Plan Eligible Contribution – Participants Deferred Compensation Account

The Board of Directors acted on May 25, 2010 to adopt the Foundation's Longevity Pay Plan (FLPP). The purpose of the FLPP is to encourage employment longevity and offer some level of benefit to employees who are not eligible for our post-employment healthcare benefits. The FLPP program applies to regular, full-time benefited employees hired on or after March 1, 2009, and have 10 or more years of service. The organization may make, at its annual discretion, non-elective Employer contributions to a FLPP Participant's Deferred Compensation Account. The contribution is calculated using the below schedule:

| <u>Years of Completed Service</u> | <u>Compensation Factor</u> |
|-----------------------------------|----------------------------|
| 10 | 2% |
| 11 | 2.5% |
| 12 | 3% |
| 13 | 3.5% |
| 14 | 4% |
| 15 | 5% |
| 16 | 5.5% |
| 17 | 6% |
| 18 | 6.5% |
| 19 | 7% |
| 20 | 10% |
| 25+ | 15% |

Company contributions are reviewed annually by the Board and are discretionary. Participants that receive a Foundation Contribution to the Plan will be immediately 100% vested. Currently there are sixteen (16) regular, full-time benefited employees that are eligible to participate; the company's total contribution to the Participant's Deferred Compensation Accounts is \$40,002.35

PROPOSED ACTION: Management is recommending that the Personnel Committee approve the annual funding of the Foundation Longevity Pay Plan Program as presented for consideration by the Board of Directors.

BE IT RESOLVED, that the Personnel Committee has reviewed and approved the resolution to renew the Foundation Longevity Pay Plan Program with a contribution amount of \$40,002.35, as presented, for consideration by the Board of Directors at the next regularly scheduled meeting.

BE IT FURTHER RESOLVED, that upon approval of this resolution by the Board of Directors, the CEO and CHRO are authorized and directed to take any and all action as may be necessary to effectuate this Resolution.

PASSED AND ADOPTED THIS 15th DAY OF MAY 2024

Phyllis Nelson, Chair
Personnel Committee

FLPP CALCULATION 2024

| Employee Type | Hourly Pay | Date Hired | Years of Service | FLPP Contribution |
|----------------------------------|------------|------------|------------------|---------------------|
| FT Exemp | \$ 33.32 | 01/04/2010 | 14 | \$ 2,772.22 |
| FT Non-Exempt | \$ 25.50 | 09/14/2009 | 14 | \$ 2,121.60 |
| FT Non-Exempt | \$ 27.39 | 04/07/2011 | 13 | \$ 1,993.99 |
| FT Exempt | \$ 43.85 | 11/01/2010 | 13 | \$ 3,192.28 |
| FT Non-Exempt | \$ 23.86 | 04/04/2011 | 13 | \$ 1,737.01 |
| FT Non-Exempt | \$ 35.58 | 07/11/2010 | 13 | \$ 2,590.22 |
| FT Exempt | \$ 56.97 | 01/10/2011 | 13 | \$ 4,147.42 |
| FT Exempt | \$ 76.38 | 01/10/2011 | 13 | \$ 5,560.46 |
| FT Non-Exempt | \$ 26.98 | 09/07/2010 | 13 | \$ 1,964.14 |
| FT Non-Exempt | \$ 21.10 | 11/15/2010 | 13 | \$ 1,536.08 |
| FT Non-Exempt | \$ 22.86 | 05/07/2012 | 12 | \$ 1,426.46 |
| FT Exempt | \$ 57.44 | 01/08/2012 | 12 | \$ 3,584.26 |
| FT Exempt | \$ 41.34 | 05/07/2012 | 12 | \$ 2,579.62 |
| FT Non-Exempt | \$ 26.38 | 09/12/2011 | 12 | \$ 1,645.80 |
| FT Exempt | \$ 40.56 | 06/25/2013 | 11 | \$ 2,109.12 |
| FT Non-Exempt | \$ 25.04 | 3/3/2014 | 10 | \$ 1,041.66 |
| | | | | |
| Total FLPP Contribution for 2024 | | | | \$ 40,002.35 |

Memorandum



Date: May 15, 2024

To: Personnel Committee

From: Shari Benson, CHRO

Attached: PARS Yearly Activity

Subject: PARS Vacation/Sick Leave Conversion Program

The PARS Vacation/Sick Leave Conversion Program provides eligible employees a supplemental retirement plan as part of the overall company benefits program. It allows eligible employees to convert a portion of unused leave balances to cash and then contribute those funds directly into the employees PARS 457(b) individual account. The percentage of participation is fully elective by an eligible employee and the option to convert occurs on an annual basis. A regular, full-time benefited employee is eligible to participate in the Conversion Program once they have completed at least 4 years of full-time service.

Employees who desire to convert vacation time must have at least 160 hours of accrued vacation and have taken a minimum of 40 hours of vacation over the previous 12 months of employment preceding the current plan year. A maximum conversion of 100 hours of vacation time may occur. The resulting vacation balance may not fall below 160 hours due to converting hours.

Employees who desire to convert sick leave must have more than 320 hours of sick leave available, and then may convert up to 100 sick leave hours for hours greater than 320. A sick leave balance may not fall below 320 hours due to converting hours.

The annual renewal of this employee benefit is designed to ensure that the financial obligations of the organization are being met prior to Board approval. The annual forecast for 2023-2024 currently shows a net surplus of almost \$4.6M after all annual financial obligations are paid. This compares to \$286,352 in estimated eligible contributions for FY 23/24. Based on historical participation and conversion levels, an approximate forecast of conversion is \$171,653. Any converted vacation will not result in an additional expense as those balances have already been accrued.

Eligible employees were invited to an online training session on April 26, 2024 delivered by representatives from John Hancock and PARS to learn about the advantages and disadvantages of converting leave with the program, along with investment information.

Proposed Action:

Management is recommending that the Personnel Committee approve the annual renewal of the PARS Vacation/Sick Leave Conversion Program for consideration by the Board of Directors.

BE IT RESOLVED, that the Personnel Committee has reviewed and approves forwarding the PARS Vacation/Sick Leave Conversion Plan to the Board of Directors for consideration at the next regularly scheduled meeting.

PASSED AND ADOPTED THIS DAY 15th DAY OF MAY 2024

By: _____
Dr. Phyllis Nelson, Chair
Personnel Committee

PARS Yearly Activity

| Fiscal Year | Number of Employees Eligible for Vacation Conversion | Number of Employees Electing Vacation Conversion | Percentage Electing Vacation Conversion | \$ Amount Vacation Employees Eligible | \$ Amount Vacation Employees Converted |
|-------------|--|--|---|---------------------------------------|--|
| 2009-2010 | 49 | 25 | 51% | \$99,177 | \$47,224 |
| 2010-2011 | 53 | 43 | 81% | \$112,511 | \$68,885 |
| 2011-2012 | 56 | 28 | 50% | \$105,500 | \$61,041 |
| 2012-2013 | 69 | 38 | 55% | \$149,194 | \$58,778 |
| 2013-2014 | 51 | 29 | 57% | \$117,000 | \$49,479 |
| 2014-2015 | 65 | 37 | 57% | \$144,000 | \$69,131 |
| 2015-2016 | 55 | 28 | 51% | \$129,000 | \$73,699 |
| 2016-2017 | 58 | 34 | 59% | \$131,993 | \$74,000 |
| 2017-2018 | 41 | 34 | 83% | \$120,534 | \$63,004 |
| 2018-2019 | 55 | 39 | 71% | \$123,212 | \$88,690 |
| 2019-2020 | 74 | 22 | 30% | \$193,703 | \$60,943 |
| 2020-2021 | 65 | 28 | 43% | \$182,360 | \$84,344 |
| 2021-2022 | 75 | 36 | 48% | \$184,720 | \$88,563 |
| 2022-2023 | 56 | 29 | 52% | \$162,905 | \$76,486 |
| 2023-2024 | 44 | | | \$144,496 | |

| Fiscal Year | Number of Employees Eligible for Sick Conversion | Number of Employees Electing Sick Conversion | Percentage Electing Sick Conversion | \$ Amount Sick Employees Eligible | \$ Amount Sick Employees Converted |
|-------------|--|--|-------------------------------------|-----------------------------------|------------------------------------|
| 2009-2010 | 74 | 41 | 55% | \$84,160 | \$54,387 |
| 2010-2011 | 41 | 29 | 71% | \$96,045 | \$74,142 |
| 2011-2012 | 45 | 30 | 67% | \$91,947 | \$68,879 |
| 2012-2013 | 56 | 31 | 55% | \$111,476 | \$80,002 |
| 2013-2014 | 55 | 42 | 76% | \$114,000 | \$90,591 |
| 2014-2015 | 54 | 30 | 56% | \$133,000 | \$94,391 |
| 2015-2016 | 64 | 42 | 66% | \$135,000 | \$98,318 |
| 2016-2017 | 49 | 32 | 65% | \$118,174 | \$92,500 |
| 2017-2018 | 57 | 44 | 77% | \$141,000 | \$102,647 |
| 2018-2019 | 55 | 42 | 76% | \$139,000 | \$121,308 |
| 2019-2020 | 52 | 0 | 0% | \$137,774 | \$0 |
| 2020-2021 | 0 | 0 | 0% | \$0 | \$0 |
| 2021-2022 | 45 | 33 | 73% | \$138,183 | \$100,810 |
| 2022-2023 | 45 | 23 | 51% | \$138,705 | \$109,689 |
| 2023-2024 | 40 | | | \$141,857 | |