



EMPLOYEE HANDBOOK

APRIL 26, 2023

INTRODUCTION

The San Mateo County Exposition & Fair Association is a 501(c)3 non-profit organization, under contract with the County of San Mateo to operate the San Mateo County Event Center (“SMCEC”) as well as the Jockey Club and the San Mateo County Fair. For purposes of this handbook, we will identify the employer as SMCEC although your employment assignment may be with any of the above-mentioned entities. We welcome you to the San Mateo County Event Center team. We are committed to teamwork and a desire for everyone working here to be successful. One way to ensure success is for you to thoroughly read and understand our handbook. This handbook is provided for your use as a ready reference and as a summary of our personnel policies, work rules and benefits. If you have questions, please feel free to speak to your supervisor or Human Resources.

OUR MISSION

San Mateo County Event Center

The entire staff of the San Mateo County Event Center, a premier multi-purpose venue in the Bay Area, is committed to providing quality conference and special event facilities. We strive to exceed expectations for quality service and facility management while providing clients and patrons with an exceptional experience. The SMCEC hosts events contributing a positive economic and social impact to San Mateo County by attracting visitors from throughout the region.

Jockey Club

The Jockey Club strives to recognize horse racing’s finest traditions while maintaining a unique atmosphere by continually improving facilities and offering new experiences to develop a diverse clientele.

San Mateo County Fair

The San Mateo County Fair strives to provide a diverse experience through education, inspiration, and entertainment. The annual fair represents a celebration of our community’s talent, interests, innovations, and rich agricultural and artistic heritage.

EMPLOYMENT AT WILL

Your employment is at-will, which means that employment may be terminated with or without cause or notice at any time. Terms and conditions of employment – other than employment at-will – may be modified at our sole discretion. Other than the CEO, no one has the authority to make any agreement for employment other than for employment at-will or to make any agreement limiting our discretion to modify other terms and conditions of employment and this must be done in writing. No implied contract concerning any employment-related decision can be established by any other statement, conduct, policy, or practice. Examples of terms and conditions of employment that may be altered at any time, with or without a reason or with or without notice unless required by law, include termination, promotion, demotion, transfers, hiring decisions, compensation, benefits, and discipline. Nothing in this at-will statement is intended to interfere with an employee's rights to communicate or work with others toward altering the terms and conditions of his or her employment.

ETHICS POLICY

The SMCEC will always conduct business honestly and ethically. We strive to improve the quality of our services and operations and will maintain a reputation for honesty, fairness, responsibility, integrity, trust, and sound business judgment. Our employees are expected to adhere to high standards of business and personal integrity as a representation of our business practices and consistent with their loyalty to the SMCEC. SMCEC will comply with all applicable laws and regulations and expects its directors, officers, and employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct.

We expect that all employees will not knowingly misrepresent the SMCEC and will not speak on behalf of the SMCEC unless specifically authorized. The confidentiality of proprietary information, and similar sensitive information about the SMCEC or operations, or that of our customers or partners, is to be treated with discretion and only disseminated on a need-to know basis. Violations of the ethics policy may result in discipline, up to and including termination of employment.

DIVERSITY, EQUITY, AND INCLUSION

SMCEC is committed to fostering, cultivating, and preserving a culture of diversity, equity and inclusion.

Our human capital is the most valuable asset we have. The collective sum of the individual differences, life experiences, knowledge, inventiveness, innovation, self-expression, unique capabilities, and talent that our employees invest in their work represents a significant part of not only our culture, but our reputation and company's achievement as well.

We embrace and encourage our employees' differences in age, color, disability, ethnicity, family or marital status, gender identity or expression, language, national origin, physical and mental ability, political affiliation, race, religion, sexual orientation, socio-economic status, veteran status, and other characteristics that make our employees unique.

SMCEC's diversity initiatives are applicable—but not limited—to our practices and policies on recruitment and selection; compensation and benefits; professional development and training; promotions; transfers; social and recreational programs; layoffs; terminations; and the ongoing development of a work environment built on the premise of gender and diversity equity that encourages respectful communication, cooperation and teamwork between all employees.

All employees of SMCEC have a responsibility to treat others with dignity and respect at all times. All employees are expected to exhibit conduct that reflects inclusion during work, at work functions on or off the work site, and at all other company-sponsored and participative events. Employees are encouraged to attend diversity awareness training to enhance their knowledge to fulfill this responsibility.

Employees who believe they have been subjected to any kind of discrimination that conflicts with the company's diversity policy and initiatives should seek assistance from a supervisor or an HR representative.

RIGHT TO REVISE

This employee handbook sets forth certain policies and practices of employment for all employees. These policies, procedure, and benefit programs are subject to change, modification, or deletion at the sole discretion of SMCEC. From time to time, you may receive updated information regarding such changes. Further this handbook will be revised periodically, at which time, we will require each of you to read and acknowledge the information contained in the new edition. All such revisions, deletions or additions must be in writing. No oral statements or representations can change or alter the provisions of this handbook.

The policies, procedures, and benefits programs stated in this handbook are for informational purposes only and are not conditions of employment which are intended to, or do, establish a binding contract between SMCEC and you. Employment with SMCEC is at-will and may be terminated by either you or by SMCEC at any time, for any reason or for no reason at all, without cause or prior notice.

Nothing in this handbook is intended to unlawfully restrict an employee's right to engage in any of the rights guaranteed to them by Section 7 of the National Labor Relations Act, including but not limited to, the right to engage in concerted protected activity for the purposes of their mutual aid and/or protection. Nothing in this Handbook will be interpreted, applied, or enforced to interfere with, restrain, or coerce employees in the exercise of Section 7 rights.

EMPLOYEE RELATIONS

EQUAL EMPLOYMENT OPPORTUNITY

We are an Equal Employment Opportunity employer. In order to provide equal opportunities to all individuals, employment decisions will be based on merit, qualifications, and abilities, not on any mental or physical disability. We comply with the law regarding reasonable accommodation for disabled employees and applicants.

We do not discriminate in employment opportunities or practices on the basis of any protected class, including: race (including traits historically associated with race, such as hair texture or hairstyle), religion or religious creed (including religious dress and religious grooming), color, age, sex (including pregnancy, perceived pregnancy, childbirth, breastfeeding, or related medical conditions), sexual orientation, gender, gender identity (including transgender identity), gender expression and sex stereotyping, national origin, ancestry, citizenship, marital status, domestic partner status, medical condition, physical or mental disability, family care or medical leave status, genetic information, military service, military and veteran status, military caregiver status, status as a victim of domestic violence, sexual assault or stalking, or any other classification protected by federal, state, and local laws and ordinances.

This policy governs all aspects of employment, including hiring, promotion, job assignment, compensation, discipline, access to benefits, training, termination or other aspects of employment. The Company also complies with federal and state equal pay laws, and all employees regardless of any protected characteristics shall receive equal pay for work that is substantially similar based on effort, skill, and duties. The Company's commitment to equal opportunity employment applies to all persons involved in the operations of the Company and prohibits unlawful discrimination by any employee of the Company, including supervisors and coworkers, as well as outside third parties including customers and vendors.

Any violation of this policy will not be tolerated and will result in appropriate disciplinary action, up to and including termination. If an employee believes someone has violated this policy, the employee should bring the matter to the attention of the Human Resources. SMCEC will promptly investigate the facts and circumstances of any claim that this policy has been violated and take appropriate corrective measures.

No employee will be subject to, and SMCEC prohibits, any form of discipline or retaliation for reporting perceived violations of this policy, pursuing any such claim, or cooperating in any way in the investigation of such claims.

DISCRIMINATION & HARASSMENT FREE WORKPLACE

The SMCEC is committed to a work environment in which all individuals are treated with respect and dignity. We have a strict policy against discrimination, harassment and retaliation. Our goal is to provide a work environment free from discrimination, harassment and retaliation as well as other disrespectful or other unprofessional conduct based on any protected class: race (including traits historically associated with race, such as hair texture or hairstyle), religion or religious creed (including religious dress and religious grooming), color, age, sex (including pregnancy, perceived pregnancy, childbirth, breastfeeding, or related medical conditions), sexual orientation, gender, gender identity (including transgender identity), gender expression and sex stereotyping, national origin, ancestry, citizenship, marital status, domestic partner status, medical condition, physical or mental disability, family care or medical leave status, genetic information, military service, military and veteran status, military caregiver status, status as a victim of domestic violence, sexual assault or stalking, or any other classification protected by federal, state, and local laws and ordinances is prohibited and will be treated as a disciplinary matter.

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting, such as during business trips, business meetings and business-related social events. This policy covers harassment, discrimination, and retaliation of any employee, volunteer, applicant, contractor, or any person who has a business, service or a professional relationship with us. Employees should immediately report any incidents of harassment, discrimination, retaliation, potential workplace violence situations or any workplace ethic violations by contacting your Supervisor or Human Resources. Although the following section addresses the sexual harassment issues of the policy, its reporting, investigation and disciplinary provisions also apply to all other forms of harassment as well as discrimination. Additionally, abusive conduct, defined as any conduct of an employer or employee in the workplace, with malice, that a reasonable person would find hostile, offensive, and unrelated to an employer's legitimate business interests is not tolerated.

Harassment Defined.

Harassment as defined in this policy is unwelcome verbal, visual, or physical conduct creating an intimidating, offensive, or hostile work environment that interferes with work performance. Harassment can be verbal (including slurs, jokes, insults, epithets, derogatory comments, threats, gestures, or teasing), graphic (including offensive posters, symbols, cartoons, drawings, computer displays, or e-mails), or physical conduct (including physically threatening another, blocking someone's way, etc.) that denigrates or shows hostility or aversion towards an individual because of any protected characteristic. Such conduct violates this policy, even if it is not unlawful. Because it is difficult to define unlawful harassment, you are expected to behave in a professional and respectful manner at all times.

Sexual Harassment Defined.

Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities and other verbal or physical conduct of a sexual nature. Sexual harassing conduct need not be motivated by sexual desire, and hostile treatment can amount to sexual harassment regardless of whether it is motivated by sexual desire.

Examples of conduct that violates this policy include:

- unwelcome sexual advances, flirtations, advances, leering, whistling, touching, pinching, assault, blocking normal movement;
- requests for sexual favors or demands for sexual favors in exchange for favorable treatment or employment benefits;
- making or threatening reprisals after a negative response to sexual advances;
- obscene or vulgar gestures, posters, or comments;
- sexual jokes or comments about a person's body, sexual prowess, or sexual deficiencies;
- propositions, or suggestive or insulting comments of a sexual nature;
- derogatory cartoons, posters, and drawings;
- sexually explicit e-mails or voicemails;
- uninvited touching of a sexual nature;
- unwelcome sexually-related comments;
- conversation about one's own or someone else's sex life;
- conduct or comments consistently targeted at only one gender, even if the content is not sexual; and/or
- teasing or other conduct directed toward a person because of the person's gender.

Sexual harassment is sex discrimination in violation of federal and state law.

Non-Retaliation

It is prohibited for supervisors, managers and co-workers, as well as third parties such as vendors or customers, to retaliate against an employee because the employee has complained about harassment, discrimination, retaliation, abusive conduct, or participated in an investigation, proceeding or hearing based on such a complaint.

We cannot remedy claimed harassment or retaliation unless you bring these claims to the attention of management. Failure to report claims of harassment and/or retaliation prevents us from taking steps to remedy the problem.

Complaint Procedure

All employees are responsible for creating and maintaining a positive work environment. If you believe you have been a victim of harassment, sexual harassment, discrimination, retaliation, or if you have witnessed harassment, sexual harassment or discrimination, it is important that you take steps to address it immediately.

- First, if you are comfortable doing so, talk to the person whose behavior is bothering you and ask the person to stop.
- Next, if you are not comfortable speaking with that person, or if you asked them to stop and they have not, contact your supervisor or any member of management or human resources that you feel comfortable approaching.
- Complete an Employee Complaint Form and submit it to your supervisor or human resources.

A prompt, thorough and objective investigation of the complaint will be conducted by a qualified person. Documentation will be maintained in a confidential file. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Upon completion of the investigation, and where warranted, appropriate corrective action will be taken to eliminate the sexual harassment, harassment, retaliation, or discrimination. Corrective action may include, but is not limited to, training, counseling, reassignment and/or discipline. To the extent possible, the investigation of a complaint and any subsequent action taken in response to the complaint will proceed in an atmosphere of confidentiality. Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action. Employees who have previously filed a complaint should immediately make a further complaint should the harassment reoccur.

A complaint of sexual harassment may be filed within three years of the harassment with the California Department of Fair Employment and Housing ("DFEH"). The DFEH initially serves as a neutral fact-finder and attempts to help the parties voluntarily resolve the complaint. The DFEH can be contacted at (800) 884-1684; or for the hearing impaired, (TTY) (800) 700-2320; or visit the department's website at www.dfeh.ca.gov. A complaint of sexual harassment also may be filed within 300 days of the harassment, with the Equal Employment Opportunity Commission (EEOC), by calling (800) 669-4000 or for the hearing impaired, (800) 669-6820. EEOC field office information is available at www.eeoc.gov.

ABUSIVE CONDUCT AND BULLYING

We expect all employees to demonstrate appropriate behavior and treat others with respect, dignity, and civility. The Company prohibits bullying and/or abusive conduct towards another. Bullying constitutes repeated and harmful mistreatment of another at the workplace or in the course of employment, whether direct or indirect. Bullying can be verbal, physical, or otherwise. Examples of prohibited bullying include screaming, using profanity, name calling, and/or humiliation of a person. Prohibited bullying involves substantial interference with work, the performance of work, and/or adverse effect on an employee's ability to function at work. If you are aware of any workplace bullying, please contact a member of the management team. The Company will take any and all appropriate action as necessary, including disciplinary action against any employee found in violation of this policy, up to and including termination. The Company will not retaliate against anyone who in good faith reports an act of bullying.

OPEN DOOR POLICY

We are committed to open and honest communication in the workplace. We are interested in listening to your concerns, problems, and suggestions. If you have a concern, you often will find the easiest and most effective way to find a solution is to have an honest discussion with your supervisor. You should follow the usual reporting channels to find a solution, starting with your immediate supervisor, management or HR. If the nature of the matter is such that you would prefer not to discuss it with a particular person, you should discuss it with the next level of management without fear of reprisal. The objective is to maintain open and honest communication to help find a fair solution to your problems or concerns.

REASONABLE ACCOMMODATIONS

SMCEC recognizes and supports its obligations to reasonably accommodate job applicants and employees with disabilities as well as those with religious beliefs and practices who are able to perform the essential functions of the position, with or without reasonable accommodation. SMCEC will provide reasonable accommodation to otherwise qualified job applicants and employees with known disabilities and religious beliefs, unless doing so would impose an undue hardship on the Company or pose a direct threat of substantial harm to the employee or others. SMCEC may also propose an alternative accommodation.

If you believe you need a reasonable accommodation based on a disability or religious belief, you should discuss the need for possible accommodations with your Supervisor or Human Resources. At no time will we discriminate, harass, or retaliate in any way against you for making an accommodation request.

TRANSGENDER AND GENDER NON-CONFORMING POLICY

The Company supports transgender and gender non-conforming employees to discuss their gender identity or expression, or to keep such information private. Each employee has the right to be called by the name and pronoun that correspond to their gender identity. Any intentional refusal to refer to the employee by a name or pronoun that does not align with the employee's gender identity or similar actions can constitute harassment, a violation of company policy. Such conduct is subject to discipline, up to and including termination.

EMPLOYMENT

EMPLOYEE CLASSIFICATIONS

Exempt Employees

Executive, administrative, professional and similar employees whose positions meet specific tests established by the Fair Labor Standard Act (FLSA) and state law are exempt employees. Exempt employees receive a flat salary regardless of the hours they work per week and are not eligible for overtime.

Non-Exempt Employees

Non-exempt employees are paid for all hours worked, are eligible for overtime and are subject to federal and state wage and hour requirements.

Full-Time Employees

Regular full-time employees are those whose normal workweek is at least thirty (30) hours. Regular full-time employees are eligible to participate in all employee benefits as provided in this handbook.

Part-Time Employees

Part-time employees are those whose normal workweek is less than thirty (30) hours per week. Part-time employees are eligible to participate in benefits mandated by applicable law and are eligible to participate in pension and deferred compensation plans upon meeting eligibility requirements as described in the plan documents.

As-Needed Employees

As-Needed employees are hired to work on an as-needed basis for specific events or projects. As-Needed employees are eligible to participate in benefits mandated by applicable law.

Seasonal Employees

Seasonal employees are hired for a specific term or project such as the Fair or other special event. Seasonal employees are eligible to participate in benefits mandated by applicable law.

Union Employees

Written employment contracts between SMCEC and various labor unions may supersede some of the provisions of this handbook. Union employees are subject to provisions of their Collective Bargaining Agreement (CBA). To the extent that provisions of the employee handbook and CBA conflict, the CBA will prevail.

REHIRE

Employees who are rehired after a 30-day separation, will be considered a new employee and are not be eligible for prior service recognition for the purposes of determining; seniority, benefit plan participation, and employer retirement plan contributions. Participation in SMCEC's retirement plan and related service hour requirements will be based on the terms and conditions reflected in the plan documents. Employees who are rehired within a 30-day period will be deemed hired on the original hire date with no break in service for purposes of determining eligibility for employee benefits, subject to the terms and conditions of the benefit plans.

PAYDAYS AND PAY PERIODS

Our workweek is Monday through Sunday. Employees are paid bi-weekly every other Friday. If any date of paycheck distribution falls on a weekend or holiday, employees will be paid on the preceding scheduled workday. Employees are responsible for reviewing their own paychecks. If an employee has any questions or concerns, contact your immediate supervisor. Concerns must be reported to your supervisor, in writing, within two weeks of the pay period. If you wish to have someone else pick up your paycheck, you must give a written authorization to payroll each time.

Employees may request a copy of their payroll file in writing, and the company will provide the applicable files within 21 days of any such request.

REQUIRED REDUCTIONS FROM PAY

SMCEC is required by law to make certain deductions from your pay each pay period. This includes income taxes, Federal Insurance Contributions Act (FICA) contributions, Social Security, California State Disability, Medicare and any other deductions required by law or by court order for wage garnishments. Other deductions may include contributions for insurance premiums, retirement plans or other services. Your deductions will be reflected on your wage statement.

BONUS PLAN

The SMCEC Board of Directors may, on occasion, approve a bonus for Regular Full-Time Employees who have completed a minimum of six months of successful employment from date of hire. Bonuses may be authorized in successive years; however, no bonus is implied or otherwise promised to any employee as inducement or salary, despite the frequency or history of past bonuses. Bonuses, if paid, will be based upon criteria such as, but not limited to, individual job performance, attendance and the financial results of SMCEC.

PROMOTIONS

It is our policy, where possible, to promote qualified personnel from within. Open positions may be posted and may be open to the public as well. If you are promoted to a new position, you will be given up to thirty calendar days to demonstrate your ability and qualifications to satisfactorily perform the full duties required of the new position. If you do not perform satisfactorily within such time, you may be returned to the position you formerly held at the appropriate wage for the position you formerly held.

EXEMPT EMPLOYEES-SAFE HARBOR POLICY

As an exempt salaried employee, you receive a salary which is intended to compensate you for all hours you work for SMCEC. This salary will be established at the time of hire or when you become classified as an exempt employee. While it may be subject to review and modification from time-to-time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work you perform.

Under state law, your salary is subject to certain deductions. For example, your salary can be reduced for the following reasons:

- Full-day absences for personal reasons.
- Full-day absences for sickness or disability if you have exhausted the paid sick leave available to you.
- Intermittent absences, including partial-day absences, covered by the federal Family and Medical Leave Act, if you have exhausted other paid leave available to you.
- To offset amounts received as payment for jury and witness fees or military pay.
- During the first or last week of employment in the event you work less than a full week.
- Any workweek in which you perform no work for the Company.

Your salary also may be reduced for certain types of deductions, such as your portion of health, dental or life insurance premiums; state, federal or local taxes, social security; or voluntary contributions to a 401(k) or pension plan.

In any workweek in which you performed any work, your salary will not be reduced for any of the following reasons:

- Partial-day absences for personal reasons, sickness or disability.
- Your absence on a holiday when the facility is closed, or because the facility is otherwise closed on a scheduled workday.
- Absences for jury duty, attendance as a witness, or military leave in any week in which you have performed any work.
- Any other deductions prohibited by state or federal law.

Although, your salary will not be deducted for partial-day absences, SMCEC will deduct from accrued but unused vacation, exempt or sick leave and supplement your salary from these banks on any day that you are absent for more than 3 hours. Partial day absences that are less than 3 hours will not require the use of accrued leave.

If you believe you have been subject to any improper deductions, you should immediately report the matter to your supervisor. If the supervisor is unavailable or if you believe it would be inappropriate to contact that person, you should immediately contact HR. Every report will be fully investigated and appropriate action will be taken.

BUSINESS CLOSURES AND FURLOUGHS

Business Closures

The SMCEC may implement business closures at their discretion. During any such closure employees with accrued vacation or exempt time must utilize the accrued time during the closure with the exception of days that are paid holidays. Employees may, at their option, utilize sick leave during this closure if no other accrued leave is available. In circumstances other than business closures or furloughs, sick leave may only be used for reasons stated in the sick leave policy. If no accrued leave is available, the time off will be without pay. Employees are not to perform any work during the business closure. Departments with employees required to be on site during the closure will be paid pursuant to normal operations.

Furloughs

When business needs dictate, employees may be placed on a temporary furlough. During any such furlough, employees must utilize accrued vacation or exempt hours. Employees may, at their option, utilize sick leave during this closure if no other leave is available. In circumstances other than business closures or furloughs, sick leave may only be used for reasons stated in the sick leave policy. If no accrued leave is available, the furlough will be without pay. Benefits and leave accrual will be maintained during furlough periods under the same conditions as if the employee were actively working. If the furlough period is expected to exceed longer than a pay period, you will be paid out all wages and earned but unused vacation and exempt pay but not sick pay.

EMPLOYMENT VERIFICATION

Request for employment verification beyond dates of employment and last position held must be submitted to payroll or HR and contain the employee's or former employee's signature authorizing the release of information.

IMMIGRATION LAW COMPLIANCE

We are committed to employing only individuals who are authorized to work in the United States. Each new employee must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. If you are a former employee who is rehired, you must also complete the form if you have not completed an I-9 within the past three years, or if your previous I-9 is no longer retained or valid. If you have questions or seek more information on immigration law issues you are encouraged to contact the United States Citizenship and Immigration Services (USCIS) at 1-800-375-5283.

LACTATION BREAKS

The Company recognizes that breast milk is the optimal food for growth and development of infants, and we support the rights and needs of breastfeeding employees. In compliance with California state law, this policy establishes guidelines for promoting a breastfeeding-friendly work environment and supporting lactating

employees at the Company for as long as they desire to express breastmilk.

Employees have a right under California law to request lactation accommodation. SMCEC will provide breastfeeding employees with space in close proximity to the employee's work area that is that shielded from view and free from intrusion from co-workers and the public, other than a restroom, to express breastmilk. The room or location may include the place where the employee normally works if it otherwise meets the requirements of the lactation space.

SMCEC will provide:

- Be safe, clean, and free of toxic or hazardous materials;
- Contain a place to sit, a surface to place a breast pump and personal items;
- Have access to electricity or alternative devices, including but not limited to, extension cords or charging stations, needed to operate an electric or battery-powered breast pump;
- Have access to a sink with running water and a refrigerator in close proximity to employee work area;
- Contain a place to sit;
- Multi-purpose rooms may be used as lactation space if they satisfy the requirements for space; however, use of the room for lactation takes priority over other uses.

In order to submit a request for lactation accommodation, please speak to your Supervisor. We will respond to an employee's request for lactation accommodation within five (5) business days. In response to a request for lactation accommodation, if we are unable to provide an accommodation or a location that does not comply with the state requirements as a result of an exemption, we will provide the basis upon which we are unable to grant your request. A copy of the request will be given to the employee and one retained by the Human Resources department.

Breaks necessary for lactation shall, if possible, run concurrently with employee's lunch and break time. If the time for an employee's break time does not run concurrently or when additional time is necessary, the break time may be unpaid.

California law permits employers to deny, in writing, an employee's request for a lactation break if the additional break time would seriously disrupt operations.

The Company expressly prohibits retaliation against lactating employees for exercising their rights to lactation accommodation granted by the ordinance. Employees have the right to file a complaint with the Labor Commissioner for any violation of rights provided under Chapter 3.8 of the California Labor Code regarding lactation accommodations.

PERSONAL INFORMATION

It is your responsibility to immediately advise HR of any change in your personal status, such as your telephone number, address, email or name utilizing the appropriate form. It is important, and to your benefit, that this information be accurate and timely.

PERSONNEL FILES

Employee personnel records are maintained in our human resources department. As required by law, some records pertaining to employees are maintained in separate files relating to medical issues and internal investigations. Employees, or their authorized representative, may request access to their basic personnel file. All requests for access to your personnel file must be provided in writing to human resources. Upon receipt of your written request, human resources will schedule an appointment for you to view your file during normal office hours. For purposes of this policy, your personnel file includes records related to performance and training as well as other records used for hiring, promotion and disciplinary decisions. It will not include any reference checks, medical records or investigation files. Employees are not permitted to remove any documents from the personnel file but may provide a written response to any document in the personnel file. Written responses will be attached to the original document in the personnel file. Employees may request copies of documents in their personnel file. Requests for copies must also be made in writing to human resources. **A copy will be provided within 30 days of such a request.** SMCEC employee files are considered confidential. Managers and supervisors may only have access to personnel file information on a need to know basis.

WAGE AND HOUR_NON-EXEMPT EMPLOYEES

The workday is a 24-hour period. Our workday begins at 12:00 a.m. and ends at 11:59 p.m. Non-Exempt employees will be paid for all hours worked. Pay for time worked will be computed from the time you register in for work until you are effectively released from duty and register out.

MEAL PERIODS

Whenever you work five hours or more in any workday, you are authorized and permitted a minimum thirty-minute unpaid, uninterrupted, duty-free meal period during which time you will be relieved of all duty and free to leave the premises.

NUMBER OF HOURS WORKED	NUMBER OF AUTHORIZED MEAL PERIODS
Less than 5	0
Between 5-10	1
More than 10	2

The meal period should be taken prior to completing your fifth hour of work unless you are scheduled to work six hours or less, and we mutually agree in writing that the meal period may be waived.

When the nature of the work prevents you from being relieved of all duty during your meal period and when an on-duty meal period is agreed to in writing, you will be paid for your meal period.

You are also authorized and permitted a second unpaid, uninterrupted, duty-free meal period of thirty minutes whenever you work for a period of more than 10 hours in any workday. The second meal period should be taken prior to the beginning of your 11th hour of work, unless you are scheduled to work 12 hours or less, and we mutually agree in writing that the second meal period may be waived. If you are waiving a meal period, please speak to your Supervisor and fill out the Meal Period Waiver Form and return to the Human Resource Department. You will not be allowed to waive the meal period if you have not filled out the waiver and returned to the Human Resource Department.

You will not be required to work during any “recovery period” mandated by any applicable statute, regulation, standard or order of OSHA or Cal/OSHA. “Recovery period” means a cool down period afforded an employee to prevent heat illness. Employees are allowed and encouraged to take a cool-down rest in the shade for a period of no less than five minutes at a time on an as-needed basis when you feel the need to do so to protect yourself from overheating. You should not wait until you feel sick to cool down. Immediately report to Human Resources if you are not being the allowed this necessary recovery time.

It is our policy and your responsibility to ensure that you take these authorized and permitted meal and rest periods. Should you miss a meal break for any reason, you must report it to your supervisor in writing by the end of the day. Employees who fail to abide by this policy are subject to discipline.

REST PERIODS

All non-exempt employees are entitled to rest break periods during their workday. You are authorized and permitted one 10-minute rest break for every four hours you work (or major fraction thereof, which is defined as any amount of time over two hours). A rest break need not be provided for employees whose total daily work time is less than three-and one-half hours.

NUMBER OF HOURS WORKED	NUMBER OF AUTHORIZED 10 MINUTE REST PERIODS
Less than 3.5 hours	0
Between 3.5-6	1
Between 6-10	2
More than 10	3

You will be paid for all authorized rest break periods. You are required to remain on the work premises during your rest break(s) and are expected to return to work promptly at the end of any rest break. **Should you miss a meal break for any reason, you must report it to your supervisor in writing by the end of the day. Employees who fail to abide by this policy are subject to discipline.**

OVERTIME PAY

SMCEC complies with all applicable federal and state laws with regard to payment of overtime. You must have **prior** approval from your supervisor before working any overtime.

You will be paid one-and-one-half times your regular rate of pay for all time worked in excess of eight hours, up to and including 12 hours, in any one workday, for all time worked in excess of 40 hours in any one workweek, and for the first eight hours worked on the seventh consecutive workday in any one workweek.

You will be paid two times your regular rate of pay for all time worked in excess of 12 hours in any one workday, and for all time worked in excess of eight hours on the seventh consecutive workday in any one workweek. Hours paid, but not worked (i.e. vacation, sick leave, holiday), will not be considered hours worked for the purposes of calculating overtime.

Please remember that you are not allowed to work overtime unless it has been authorized in advance by your Supervisor. Any overtime, without authorization, may result in discipline, up to and including termination.

REPORTING PAY

Reporting Pay will apply as follows for non-exempt employees:

1. *Cancelled Shift.* If employee is scheduled to work a shift and shift is cancelled without receiving at least 24 hours-notice, employee will be paid ½ of the scheduled shift with a minimum of 2 hours and maximum of 4 hours at the regular rate of pay.
2. *No work available.* If employee reports to work and no work is available, employee will be paid ½ of the scheduled shift with a minimum of 2 hours and maximum of 4 hours at the regular rate of pay.
3. *Work is available.* If employee is assigned and accepts work after properly reporting but is furnished with less than ½ of the scheduled shift, employee will be paid for ½ of the scheduled shift, with a minimum of 2 hours and maximum of 4 hours at the regular rate of pay.
4. *Meeting Pay.* If employee is scheduled to report to work for a meeting, employee will be paid for actual hours worked with a minimum of 2 hours paid.
5. *Overtime.* Only hours actually worked will be included in the computation of overtime.

TIME KEEPING

Non-exempt employees are required to accurately record all hours worked, meal periods, holiday, sick and vacation time. Employees should clock in no sooner than 10 minutes before their scheduled shift and no later than 10 minutes after their scheduled shift. Employees are required to clock in and out for their designated meal periods. Failure to enter time into the timekeeping system in an accurate and timely manner is unacceptable job performance. Employees may not ask another employee to clock in or out for them. Should an employee miss an entry into the timekeeping system, they must notify their supervisor as soon as possible for correction. Non-exempt are not permitted to work unscheduled time without prior authorization from their supervisor.

BENEFITS

BENEFITS – GROUP BENEFIT PLANS

The SMCEC offers an outstanding package of group insurance benefits to its non-union full-time regular employees who are regularly scheduled to work at least 30 hours per week. These employees are eligible for medical, dental, vision, long and short-term disability and other select benefits on the first of the month after (60) sixty days of employment. The SMCEC reserves the right to, in its sole and absolute discretion, modify, change or eliminate these benefit plans or programs and participation in the benefit plans or programs will be subject to the plan terms and conditions. Employees should refer to the specific official plan documents, which contain the governing provisions in the event of any conflict with this handbook. Union employees receive benefits as described in their respective collective bargaining agreement.

COBRA (Benefits Continuation)

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives you and your beneficiaries the opportunity to continue health insurance coverage under our health plan when a “qualifying event” would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, death of an employee; a reduction in your hours, leave of absence; your divorce or legal separation; you become entitled to Medicare; or a dependent child no longer meets eligibility requirements. COBRA benefits are administered by a third-party administrator.

COMMUTER BENEFITS

The SMCEC offers employees who use public transit a commuter benefit subsidy. Please ask your Supervisor for further information about the benefits.

RETIREMENT PLANS

The SMCEC offers employee participation in Pension and Deferred Compensation plans upon eligibility as described in the official plan documents.

STATE DISABILITY INSURANCE

You are covered under the California State Disability Insurance Plan (SDI), which provides low-cost protection for loss of earnings due to non-work-related illness or accident. Benefits begin after the seventh day of illness or accident. It is funded by employee contributions; which state law requires to be withheld from your wages. The amount withheld is computed as a percentage of your gross wages, up to a maximum specified by the state.

UNEMPLOYMENT INSURANCE

Unemployment insurance is provided at no cost to you through SMCEC contributions. You may not be eligible for unemployment insurance if you voluntarily quit without good cause or are terminated for misconduct connected with work.

PAID FAMILY LEAVE BENEFITS

All California employees on our payroll are entitled to Paid Family Leave (PFL), a benefit offered as part of the SDI program of the Employment Development Department (EDD). This plan provides up to eight (8) weeks of benefits to offset income loss due to individuals who take time off work to care for a seriously ill child, spouse, parent, registered domestic partner, grandparent, grandchildren, sibling or parents-in-law and to, to bond with a new minor child **or for a qualifying military exigency**.

The program is solely responsible for determining if an employee is eligible for such benefits. Accrued sick leave may be used during this time to the extent permitted by law. If sick leave is unavailable, employees may use accrued vacation.

If you need to take time off work to care for a child, spouse, parent, registered domestic partner, grandparent, grandchildren, sibling or parents-in-law with a serious health condition, to bond with a new child **or for a qualifying military exigency**, please inform Human Resources, and you will be given information about the EDD's PFL program and how to apply for benefits. Employees also may contact their local Employment Development Department Office for further information. You should maintain regular contact with SMCEC during the time you are off work so we may monitor your return-to-work status. In addition, you should contact SMCEC when you are ready to return to work so we may determine what positions, if any, are open to you.

When an employee applies for PFL benefits, the Human Resources Department will determine if the employee has any accrued but unused PTO time available. If the employee has accrued but unused PTO available, then the employee will be required to use up to two (2) weeks of such time before becoming eligible for PFL benefits.

Please note, employees taking time off work to care for a child, spouse, parent, registered domestic partner, grandparent, grandchildren, sibling or parents-in-law with a serious health condition, to bond with a new child **or for a qualifying military exigency** are not guaranteed job reinstatement unless they qualify for such reinstatement under federal or state family and medical leave laws. Any time off for Paid Family Leave purposes will run concurrently with other leaves of absences.

For more information on these benefits, please contact Human Resources.

LITERACY PROGRAM

We will reasonably accommodate and assist any employee who reveals illiteracy and requests employer assistance in enrolling in an adult literacy education program, provided that this reasonable accommodation does not impose an undue hardship. An employee who reveals illiteracy and who satisfactorily performs his or her work shall not be subject to termination of employment because of the disclosure of illiteracy.

CATASTROPHIC LEAVE DONATION

SMCEC allows employees to donate a portion of their vacation, sick, or holiday leave to an employee who has used all of their leave as a result of an injury or illness. The following procedures are used to facilitate this policy.

Catastrophic Leave is a leave of absence due to verifiable, long-term catastrophic illness or injury such as, but not limited to cancer or heart attack, which clearly disables the employee, or their immediate family as defined under Sick Leave.

Procedures for Employee Requesting Leave Hours:

- Employee must be a full time regular employee.
- Employee must exhaust all personal leave prior to requesting catastrophic leave.
- Employee completes a "Request for Catastrophic Leave" form for approval by the CEO.
- Upon the employee's return to work, any donated hours in excess of forty (40) hours not paid out to the employee will be returned to the Catastrophic Leave Bank. The remaining 40 hours may be used as sick leave by the returning employee.

Procedures for Employees Donating Leave Hours:

- Employees will be notified that a catastrophic leave request has been made and they may request a "Catastrophic Leave Donation" form from Human Resources.
- Employee must be a full time regular employee.
- Employee may donate vacation or sick leave but must maintain 200 hours of combined accumulated leave in order to be eligible to donate hours.
- Employee completes "Catastrophic Leave Donation" form and submits it to the CEO for approval.
- Once request is approved the leave hours will be transferred from the donating employee's records to the requesting employee's records on an hour by hour basis. Hours will be converted to catastrophic leave hours.
- The donating employee is not eligible to receive back any unused donated leave hours.

Catastrophic Leave Hours Bank:

The SMCEC will maintain a Catastrophic Leave Bank of hours to be distributed to eligible employees.

TIME OFF

EXEMPT LEAVE CREDIT

All regular full time exempt employees shall accrue three (3) hours of leave credit per pay period, in addition to the sick and vacation time described herein. This is subject to a maximum at the end of the calendar year of one hundred (100) hours. These employees may cash out up to eighty (80) hours of this additional leave per year on November 1. Upon separation or retirement from employment, the employee is entitled to cash out up to the accrual limit any accrued but unused additional leave credits. The pay rate used will be the rate at the time of the request.

HOLIDAYS

Full-Time Regular employees whose normal work week is at least thirty (30) hours are eligible for the following paid holidays:

HOLIDAYS
New Year's Day
Martin Luther King Jr. Day
Presidents' Day
Memorial Day
Cesar Chavez Day
Juneteenth
Independence Day
Labor Day
Thanksgiving
Christmas Eve
Christmas Day
New Year's Eve Day, applicable if New Year's Eve falls on a Monday through Friday workday.

Full-Time Regular employees will receive up to eight (8) hours of compensation at your regular rate of pay for each of these holidays. Holidays that fall on a Saturday will be observed the previous Friday; holidays that fall on a Sunday will be observed the following Monday. Non-exempt employees who are required to work on one of the holidays specified above will be paid 8 regular hours for the holiday pay and will be paid their regular hourly rate for each hour worked. Exempt employees will receive their full salary for the holiday workweek whether or not they work on the holiday.

Employees on non-protected leaves of absence are not eligible for holiday pay. Part-Time, Seasonal and As-Needed employees are not eligible for holiday pay. Holiday pay is not accrued and may not be banked for future use.

SICK LEAVE

You may use paid sick leave for the following purposes:

- Diagnosis, care, or treatment of an existing health condition of, or preventive care for, you or your family member **or a designated person.**
- If you are a victim of domestic violence, sexual assault, or stalking,
- Bereavement leave for the preparation or attendance of a funeral/services for a family member.
- **"Family member" includes:**
A child, which means a biological, adopted, or foster child, stepchild, legal ward, or a child to whom you stand in loco parentis. This definition of a child is applicable regardless of age or dependency status.
- The biological, adoptive, or foster parent, stepparent, or legal guardian of you or your spouse or domestic partner, or a person who stood in loco parentis when you were a minor child.
- Your parent, spouse, domestic partner, grandparent, grandchild, sibling, aunt, uncle, niece, nephew, cousin and in-laws in the same categories.
- **"Designated Person" is a person identified by the employee at the time the employee requests paid sick leave.**

Sick leave may be used in increments of 15 minutes or more. When the need for sick leave is known to the employee in advance, the employee shall request authorization for sick leave by completing the Time Off request form. Sick leave which may be FMLA/CFRA qualified must be requested using the Leave of Absence request form. In all other instances, the employee shall notify their supervisor as promptly as possible by telephone or other means of their inability to report to work.

Regular Full-Time Employees

All regular full-time employees will accrue 8 hours of paid sick leave per month and may accrue up to 288 hours of sick leave. Employees who reach 288 hours shall stop accruing sick leave until such time, as their sick leave balances decrease below 288 hours. Sick leave balances will roll over year to year up to 288 hours and are not paid out at time of separation.

*Employees who maintain sick leave balances in excess of 288 hours from the prior sick leave policy will not accrue additional sick leave hours until their sick leave balance falls below 288 hours.

Part-Time, Seasonal and As-Needed Employees

A part-time, seasonal, and as-needed employee will earn sick leave over time. Employees will earn 1 hour of paid sick leave for each 30 hours of work. The accrual cap will be 48 hours or 6 days, whichever is greater. Accrual will begin on the 1st day of employment. There is no payout of sick leave upon separation from SMCEC.

VACATION

Eligibility

Employees who are regularly scheduled to work 30 hours per week are eligible to earn vacation.

Accrual

Employees begin accruing vacation on the first day of regular full-time employment. Eligible employees will accrue time based on regular hours paid as follows:

YEARS OF EMPLOYMENT	HOURS ACCRUED PER MONTH	NUMBER OF DAYS PER YEAR
0 years to 5 years	8	12
6 years to 9 years	10	15
10 years+ *	12	18

*Employees who were hired prior to January 1, 2002 will maintain their current accrual rate of 15 hours per month.

Vacation accrual will be capped at 240 hours. Once the cap has been reached, accrual will cease until such time that the employee's accrual falls below the maximum accrual. As vacation time is used, the accrual will resume until the limit is reached. At the time of separation from employment, accrued vacation hours earned will be paid at the current rate of pay. The payoff of unused, accrued vacation leave shall be counted as wages for pension calculation.

Vacation Use

The scheduling of vacations must be coordinated and approved in advance by the employee's supervisor to allow sufficient time for any rescheduling of employees to ensure that the respective areas are covered during the absence. Length of service and seniority of employees may be given consideration in scheduling of vacations. SMCEC may mandate vacation time when it is in the best interest of the SMCEC. Vacation leave may be used in increments of 15 minutes or more.

LEAVE OF ABSENCE

General Information

Leaves of absence are unpaid with the exception of Organ and Bone Marrow Donor leave. It is understood that you will not obtain other employment or apply for unemployment insurance while you are on a leave. Acceptance of other employment while on leave or failure to return on the day agreed without prior approval may be treated as a voluntary resignation.

Notice and Certification Requirements

It is important to request any leave in writing as far in advance as possible, to keep in touch with your supervisor during your leave and to give prompt notice if there is any change in your return date. In addition, you may be required

to provide us with a certification from a health care provider both prior to the leave and before reinstatement. The certification should include:

- The date on which you become disabled or the date of the medical advisability for a transfer;
- The probable duration of the period(s) of the disability or the period(s) for the advisability of a transfer; and,
- A statement that, due to disability, you are unable to work at all or to perform any one or more of the essential functions of your position without undue risk to yourself, the successful completion of your pregnancy or to other persons or a statement that a transfer is medically advisable.

BONE MARROW AND ORGAN DONATION

You will be eligible for up to 30 business days paid leave in a 12-month period to donate an organ to another person, and up to five business days paid leave in a 12-month period for bone marrow donation. An additional unpaid leave of up to 30 business days in a 12-month period may be granted to an employee donating an organ. A 12-month period begins on the date of your first use bone marrow and organ donation leave. To be eligible, employee must have been employed with the company for 90 days immediately preceding the commencement of leave. To qualify, you may be required to provide us with written verification of your status as an organ or bone marrow donor and the medical necessity for the donation.

Leave for organ or bone marrow donation will not be considered a break in your service for the purpose of salary adjustments, sick and vacation accrual, annual leave or seniority. We may require you to use up to five days of accrued vacation or sick time for bone marrow donation leave and up to two weeks of such time for organ donation leave. During this leave health and welfare benefits will be continued on the same basis, including your requirement to make any premium contributions, as when you are actively employed.

CIVIL AIR PATROL LEAVE

Volunteer members of the California Wing of the Civil Air Patrol may take up to 10 days of unpaid leave per year when you are called to respond to an emergency operational mission. To qualify for this leave you must be an employee for at least 90 days immediately preceding the commencement of the leave and you will be required to give us as much notice as possible of the intended leave dates.

EMERGENCY DUTY LEAVE

If you are a volunteer firefighter, peace officer, an employee or member of a disaster response entity sponsored or requested by the state, please tell your supervisor that you may have to take unpaid time off for emergency duty. When taking time off for emergency duty, tell your Supervisor before doing so when possible. You are also eligible for unpaid leave for required training.

FAMILY SCHOOL PARTNERSHIP LEAVE

We encourage you to participate in the school activities of your child(ren). If you are the parent, guardian or grandparent who has custody of a child enrolled in a California public or private school, in kindergarten through grade 12, or a licensed child day care facility, you may take up to 40 hours per school year (up to 8 hours in any calendar month) to participate in activities at the child's school or day care facility. Employees will also be allowed to take time off to find, enroll or reenroll their children in a school or with a licensed childcare provider. Please provide your supervisor with as much advance notice as possible. This time will be without pay, but you may use accrued vacation, personal or exempt leave.

FAMILY MEDICAL LEAVE ACT (FMLA)/CALIFORNIA FAMILY RIGHTS ACT (CFRA) Leave

We will grant family and medical leave in accordance with state and federal law in effect at the time the leave is granted. To be eligible for family and medical leave benefits, you must: (1) have worked for us for a total of at least 12 months; (2) have worked at least 1,250 hours over the previous 12 months; and (3) work at a location where at least 50 employees are employed within 75 miles **for purposes of FMLA.**

If eligible, you may receive up to a total of 12 workweeks of unpaid leave during a 12-month period. A 12-month period begins on the calendar year. Leave may be used for one or more of the following reasons:

- The birth and care of newborn child of an employee;
- For placement with the employee of a child for adoption or foster care;
- **To care for a qualifying family member.**
- To take medical leave when the employee is unable to work due to their own serious health condition.
- For any qualifying exigency because the employee is the spouse, son, daughter, or parent of an individual on active military duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation the employee shall be entitled to a total of 26 workweeks of leave during a 12-month period to care for the service member.

***The definition of family members differs under FMLA and CFRA:**

- **The definition of family under FMLA includes spouse, son, daughter or parent. "Spouse" means a husband or wife, including those in same-sex marriages. "Son or daughter" means a biological, adopted or foster child; a stepchild; a legal ward; or a child of a person standing in loco parentis who is either under age 18 or age 18 or older and "incapable of self-care because of a mental or physical disability." "Parent" is defined as "a biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the employee when he or she was a minor."**

- **The definition of family member under CFRA includes spouse, registered domestic partner, parent, parents-in-law, child (of any age), grandparents, grandchildren, and siblings. In addition, employees may take leave under CFRA to care for a "designated person," defined as an individual related to the employee by blood or whose association with the employee is equivalent to a family relationship.**

- **Employees will need to identify the statute under which the leave is being requested (FMLA or CFRA). If the reason for leave would be allowed under both statutes, the leave will be concurrent under both statutes. Under some circumstances, you may take family and medical leave intermittently – which means taking leave in blocks of time - or by reducing your normal weekly or daily work schedule.**

In addition to the 12 weeks of leave for reasons noted above, employees who have been working for the employer for at least 30 days are eligible to take up to five days of unpaid bereavement leave for the death of a qualifying family member. Employees may apply accrued sick or vacation time towards this leave.

You may be granted family and medical leave for drug- or alcohol-related illness. We will reasonably accommodate you if you wish to participate in an alcohol or drug rehabilitation program.

If you are pregnant, you may have the right to take a pregnancy disability leave in addition to a family and medical leave.

A leave taken due to a "qualifying exigency" related to military service must be supported by a certification of its necessity. A leave taken due to the need to care for a service member shall be supported by a certification by the service member's health care provider.

If your spouse works for us, you may take an aggregate of 26 workweeks of leave for Service Member Family Leave or a combination of leave for the birth or placement of a child, a serious health condition of a parent, child, or spouse, to care for an injured service member or for the employee's own serious health condition, and due to a family member's call to active duty. Spouses who do not qualify for the Service Member Family Leave may take a combined total of 12 workweeks of leave. Certain restrictions on these benefits may apply.

Should a leave or an extension be requested and granted providing for leave longer than 12 workweeks in any 12-month period, such leave or extension will generally not contain a guarantee of reinstatement to the same or an equivalent position. We will grant leaves and extensions in accordance with state and federal law in effect at the time the leave is granted.

If the reason for the leave is the employee's serious health condition, the SMCEC requires the employee to utilize their accrued leave sick, vacation and exempt hours during leave. If the reason for leave is for other than the employee's own medical condition the SMCEC requires the employee to utilize their accrued vacation and exempt leave and the employee may elect to use sick leave.

Leave taken under a disability leave plan or as a workers' compensation absence that also qualifies as FMLA leave due to the employee's own a serious health condition may be designated by the SMCEC as FMLA leave and counted against the employee's FMLA leave entitlement.

Because leave under a disability benefit plan or workers' compensation program is not unpaid, the provision for substitution of accrued paid leave does not apply. However, SMCEC and employees may agree, where state law permits, to have accrued paid leave supplement the paid plan benefits, such as in a case where a plan only provides replacement income for two-thirds of an employee's salary.

Contributions to a Group Health Plan While on Protected Leave

We will maintain your group health, dental and vision insurance coverage while on a protected leave if such insurance was provided before the leave was taken and on the same terms as if you had continued to work.

Accrual of Vacation and Sick Leave During Protected Leave

You will continue to accrue vacation and sick leave during a PDL, FMLA, CFRA, organ donation or bone marrow leave.

Holiday Pay While on a Protected Leave

You will receive holiday pay for holidays that occur during your protected leave as long as you remain in a full-time paid status utilizing accrued sick or vacation time. If you are collecting disability or workers' compensation benefits and supplementing those benefits with accrued time equal to your full wage you will be considered to be in a full-time paid status.

Job Reinstatement

Upon submission of a medical certification that you are able to return to work, you will be reinstated in accordance with applicable law. However, when you return from a leave you have no greater right to reinstatement than if you had been continuously employed rather than on leave. For example, if while on leave you would have been laid off had you not gone on leave, or if your position has been eliminated or filled in order to avoid undermining our ability to operate safely and efficiently during the leave, and there are no equivalent or comparable positions available, then you would not be entitled to reinstatement.

JURY DUTY/COURT SERVICE

Full-time regular employees called for jury duty or subpoenaed to testify as a witness will be given paid leave to fulfill their civic obligations. Upon receipt of a proposed jury summons, juror questionnaire or subpoena to testify, employees should notify their supervisor. If you are called as a juror during a particularly busy time in the office, we may ask you to request the court to postpone your jury duty to a more convenient time. For Part-Time or Seasonal or As-Needed employees, this time will be without pay.

MEDICAL LEAVE NON-FMLA QUALIFYING

You may be granted a leave of absence due to a personal illness, injury or other disabling condition. We reserve the

right to approve or deny any request for such leave. Our operational needs, your reason for leave, your job performance, requested length of leave and length of employment may be considered in determining whether your request will be granted. We will require you to use accrued leave balances during this type of absence.

When on an unprotected medical leave, your benefits and leave accrual will be maintained as long as you remain in a full-time paid status. If you are collecting disability or workers' compensation benefits and supplementing those benefits with accrued time equal to your full wage you will be considered to be in a full-time paid status. When not in a paid status your benefits will be terminated and you will be offered COBRA, if applicable.

You will continue to accrue leave and receive holiday pay for holidays that occur during your unprotected leave as long as you remain in a full-time paid status utilizing accrued leave balances. If you are collecting disability or workers' compensation benefits and supplementing those benefits with accrued leave hours equal to your full wage you will be considered to be in a full-time paid status.

MILITARY SERVICE

Leave without pay is provided to you when you enter military service of the Armed Forces of the United States or are in the Armed Forces Reserves. You are afforded reemployment rights and retain full seniority benefits for all prior service upon reemployment in accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994 as well as any applicable state law.

If you are required to attend yearly Reserves or National Guard duty, you may apply for an unpaid temporary military leave of absence not to exceed 17 days (including travel). However, if you prefer, you may use your earned vacation time for this purpose. You should give your supervisor as much advance notice as possible so we can ensure proper coverage while you are away.

MILITARY SPOUSAL LEAVE

You may take up to 10 days of unpaid leave when your spouse is deployed during a period of military conflict. To qualify for this leave:

- Your spouse must be a member of the Armed Forces who has been deployed during a period of military conflict to an area designated as a combat theater or combat zone by the President of the United States, or a member of the National Guard or Reserves who has been ordered to active duty and deployed during a period of military conflict
- You must be employed for an average of 20 or more hours per week
- You must provide us with notice of your intent to take this leave within two business days of receiving official notice that your spouse will be deployed.

- You must submit written documentation certifying your spouse will be on leave from deployment during the requested leave time

PERSONAL LEAVE OF ABSENCE

We will consider reasonable requests in writing for leave of absence for personal reasons. We reserve the right to approve or deny any request for such leave. You must give a minimum of 30 days' notice except in the case of an emergency. We will require you to use accrued vacation and exempt time during this leave.

When on an unprotected personal leave, your group health, dental and vision insurance will be maintained as long as you remain in a full-time paid status. When not in a paid status your benefits will be terminated and you will be offered COBRA, if applicable.

You will continue to accrue leave and receive holiday pay for holidays that occur during your unprotected personal leave as long as you remain in a full-time paid status utilizing accrued leave balances.

PREGNANCY DISABILITY LEAVE (PDL)

If you are disabled due to pregnancy, childbirth, or related medical condition, you may take up to a maximum of four (4) months leave (or 88 workdays for a full-time employee per pregnancy). "Four months" means the number of days you would normally work within four calendar months (one-third of a year equaling 17-1/3 weeks), if the leave is taken continuously, following the date the pregnancy disability leave commences. If your schedule varies from month-to-month, a monthly average of the hours worked over the four months prior to the beginning of the leave shall be used for calculating your normal work month. A pregnancy disability leave does not need to be taken in one continuous period of time but can be taken on an as needed basis.

Leave may include, but is not limited to, additional or more frequent breaks, time for prenatal or postnatal medical appointments, doctor-ordered bed rest, severe morning sickness, gestational diabetes, pregnancy-induced hypertension, preeclampsia, recovery from childbirth or loss or end of pregnancy, and/or post-partum depression. Leave may be taken consecutively or intermittently. The amount of leave needed is determined by your health care provider's recommendation.

You will be required to use your accrued sick leave during PDL. At your option, you may use any other accrued paid time off as part of your pregnancy disability leave before taking the remainder of your leave on an unpaid basis. The substitution of any paid leave will not extend the duration of your pregnancy disability leave.

Employees who are granted leaves for pregnancy will be returned to their same or similar position to the extent required by state law. Upon the advice of your health care provider, you may also be entitled to reasonable accommodation, to the extent required by law, for conditions related to pregnancy, childbirth or related

medical conditions. You should promptly notify the SMCEC of the need for a reasonable accommodation. In addition, a transfer to a less strenuous or hazardous position or to less strenuous or hazardous duties may be available pursuant to your request, if such a transfer is medically advisable.

You must give the organization at least 30 days' advance notice of your need for pregnancy-related disability leave or reasonable accommodation. Otherwise please give the SMCEC notice as soon as is practicable if the need is an emergency or unforeseeable.

You are required to obtain a certification from your health care provider of your pregnancy disability or the medical advisability of a transfer. The certification should include: (1) the date on which you became disabled due to pregnancy or the date of the medical advisability of a transfer; (2) the probable duration of the period(s) of disability or the period(s) for the advisability of a transfer; and, (3) a statement that, due to the disability, you are either unable to work at all or to perform any one or more of the essential functions of your position without undue risk to yourself or to other persons, or a statement that, due to your pregnancy, a transfer to a less strenuous or hazardous position or duties is medically advisable. In the event your leave exceeds the anticipated date of return, it is your responsibility to provide further certification from your health care provider that you are unable to perform your job or job duties and the revised anticipated date of return.

Health and welfare benefits will be continued on the same basis, including your requirement to make any premium contributions, as when you are actively employed.

SCHOOL SUSPENSION LEAVE

If you are the parent or guardian of a child facing suspension from school and are summoned to the school to discuss the matter, you should notify your supervisor as soon as possible before leaving work. No discriminatory action will be taken against you for taking unpaid time off for this purpose. We may require you to provide documentation of your need to attend a meeting at the school.

VICTIMS OF DOMESTIC VIOLENCE; SEXUAL ASSAULT OR STALKING

The SMCEC will provide reasonable accommodations to victims of domestic violence, sexual assault, or stalking for their safety while at work, provided the accommodation does not create an undue hardship on the SMCEC.

Reasonable accommodations may include such measures as:

- A transfer, reassignment or modified schedule.
- A change in telephone number or workstation, or an installed lock.
- Assistance in documenting domestic violence, sexual assault, or stalking that occurs in the workplace.

- An implemented safety procedure or adjustment to a job structure, workplace facility, or work requirement.
- Referral to a victim assistance program.

Upon receipt of a request, the SMCEC will engage in a timely, good faith and interactive process to determine effective reasonable accommodations.

You will be required to submit a signed, written statement that certifies that the accommodation request is for an authorized purpose. You may also be asked to provide documentation that demonstrates your status as a victim of domestic violence, sexual assault or stalking, such as a police report showing you were the victim of domestic violence, sexual assault or stalking; a court order protecting you from the perpetrator or documentation from a health care provider or counselor showing that your absence was due to treatment for injuries from domestic violence or sexual assault.

The SMCEC will also provide victims with up to 12 weeks of unpaid leave to obtain or attempt to obtain any relief, including, but not limited to, a temporary restraining order, or other relief to ensure the health, safety or welfare of you or your child. We will require you to use accrued vacation, exempt and personal time during this leave.

The SMCEC will maintain the confidentiality of anyone requesting time off or requesting an accommodation under this policy except as required by federal or state law or as necessary to protect your safety in the workplace.

TIME OFF FOR CRIME VICTIMS

Employees who have been victims of specific crimes, as specified under California law, may take time off work to attend judicial proceedings related to that crime. Employees may also take time off if an immediate family member has been a victim of such crimes and the employee needs to attend judicial proceedings related to that crime. “Immediate family member” is defined as spouse, registered domestic partner, child, child of registered domestic partner, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father, stepfather or guardian.

Employees must give Human Resources a copy of the court notice given to the victim of each scheduled proceeding before taking time off, unless advance notice to the Company of the need for time off is not feasible. When advance notice is not feasible, the employee must provide the Company with documentation evidencing the judicial proceeding, within a reasonable time after the absence. The documentation may be from the court or government agency setting the hearing, the district attorney or prosecuting attorney’s office, or the victim/witness office that is advocating on behalf of the victim. A police report or medical documentation may also be used to certify the absence.

Employees may elect to use accrued paid vacation time, paid sick leave time, or other paid time off for the absence. If the employee does not elect to use paid time off, the

absence will be unpaid. However, exempt employees will be paid their full salary for any workweek interrupted by the need for time off under this policy.

Employees are encouraged to utilize this procedure without fear of discharge, discrimination or retaliation for taking time off work to appear.

For more information on these benefits, please contact your Supervisor.

VOTING TIME OFF

You may claim paid time off to vote at statewide elections if you do not have sufficient time outside of working hours to vote. See your supervisor at least two working days prior to Election Day if time off for voting is required. No more than two hours of paid time off will be provided. The time off for voting will be only at the beginning or end of your regular work shift, whichever allows the most free time for voting and the least time off from your regular work shift.

WORKERS COMPENSATION LEAVE

If you sustain a work-related injury or illness you must inform your supervisor immediately. No matter how minor the on-the-job injury may appear, it is important that it be reported immediately. Reporting procedures are critical to qualify for payment of workers’ compensation benefits.

We will grant a workers’ compensation disability leave if you have an occupational illness or injury in accordance with state law. As an alternative, we will try to reasonably accommodate you with modified work, where such work would be appropriate and is available. If you are eligible for FMLA/CFRA leave, then leave taken for workers’ compensation will run concurrently with FMLA/CFRA leave and all FMLA/CFRA provisions will apply.

Neither the Worker’s Compensation insurer nor the SMCEC will be responsible for payment of workers’ compensation benefits for any injury that arises out of your voluntary participation in any off-duty activity. Workers’ compensation fraud is cause for immediate termination.

REHABILITATION LEAVE

We are committed to providing assistance to our employees to overcome substance abuse problems. Our Company will reasonably accommodate any employee who wishes to voluntarily enter and participate in an alcohol or drug rehabilitation program. This accommodation may include an adjusted work schedule or time off without pay, provided the accommodation does not impose an undue hardship on the Company.

You may use any accrued sick or vacation benefits while on leave under this policy. However, additional benefits will not be earned during the unpaid portion of the leave of absence. A leave of absence under this policy will be subject to the same provisions and rules as apply to medical leaves of absence. The Company will attempt to safeguard the privacy of an employee’s participation in a rehabilitation program.

You should notify your direct supervisor or the Human Resources Department if you need to request an accommodation under this policy.

SMCEC's support for treatment and rehabilitation does not obligate the Company to employ any person who violates the Company's drug and alcohol abuse policy or whose job performance is impaired because of substance abuse. SMCEC is also not obligated to reemploy any person who has participated in treatment or rehabilitation if that person's job performance remains impaired as a result of dependency. Employees who are given the opportunity to seek treatment and/or rehabilitation and are involved in any further violations of this policy will not be given a second opportunity to seek treatment or rehabilitation.

WORKPLACE POLICIES

ATTENDANCE

Employees are expected to report to work as scheduled, on time and prepared to start work. Employees are also expected to remain at work for their entire work schedule. Late arrival, early departure or other absences from scheduled hours are disruptive and must be avoided. Non-exempt employees should report to work no sooner than 10 minutes prior to scheduled shift and stay no later than 10 minutes after scheduled shift ends, unless directly authorized by your immediate Supervisor or unless attending an SMCEC event. Pre-approved time away from work using accrued vacation or personal time or time off that is protected by federal, state and/or local laws will not count as an absence or tardiness for the purposes of the policy. Management may consider extenuating circumstances when determining discipline under this attendance policy and has the right to exercise discretion on a case by case basis.

Calling in Absent or Late

We understand that there may be times when you will be late or cannot report to work due to illness or an emergency. On these rare occasions you must contact your supervisor as soon as you are aware that you will be late or absent. Communication must be by telephone, text or email with a response received from your supervisor. When such communication by the employee is not acknowledged by the supervisor, the employee must assume the supervisor has not been notified. If you are unable to reach your supervisor, you must call the administration office front desk to report your absence or late arrival to work. Except in the most unusual circumstances, the employee is expected to make the contact personally and provide the reason for the absence or tardiness, although no protected health information need be shared. Failure to call in absent or late may result in disciplinary action.

Tardiness

Excessive tardiness may be grounds for disciplinary action. Employees receiving corrective action under this policy are expected to improve their punctuality. Failure to improve and/or sustain improvement shall result in the employee receiving disciplinary action up to and including termination. Employees who are chronically unable or unwilling to report to work on time present a hardship to

other employees and the SMCEC operations. An employee is considered tardy when arriving to work late for the beginning of a scheduled shift. Tardiness will be considered excessive when it occurs two or more times in any given 30-day period.

No Call/No Show

Any employee who fails to report to work without notification to his or her supervisor may be considered a No Call/No Show unless the incident is deemed excused due to extenuating circumstances at the immediate supervisor's discretion. An employee who is considered a No Call/No Show may be considered to have voluntarily terminated his or her employment relationship.

Excessive Absences/Unauthorized Absences

Unexcused and excessive absences may be grounds for disciplinary action. Employees receiving corrective action under this policy are expected to improve their attendance. Failure to improve and/or sustain improvement shall result in the employee receiving additional disciplinary action up to and including termination. An absence shall be considered unauthorized whenever the employee's supervisor has not been properly notified of the absence. Proper notification of time off includes submitting a leave request form to your supervisor and receiving authorization for the time off. Unauthorized absences include calling in sick and taking time off for personal reasons on short notice. Taking consecutive unauthorized days off for the same reason will be considered one unauthorized absence. Absence is considered excessive when an employee's absences from work have a negative effect on the SMCEC's operations. A pattern of excessive absence may exist when an employee's absences occur with a common factor such as the same day each week, the day before or after a holiday or regularly absent on Mondays or Fridays. These absences can be for medical or non-medical reasons, however, absences protected by federal, state or local law, may not be designated as excessive or unauthorized. Responsibility for excusing an unauthorized absence shall rest with the immediate supervisor. Supervisory discretion should be exercised depending on the severity of the violation. The supervisor will take into consideration any mitigating circumstances and the employee's overall attendance record when making any disciplinary decision.

Failure to Remain on Duty

An incident of failure to remain on duty occurs when an employee does not obtain permission to leave the work site during scheduled work time and/or leaves work prior to the scheduled end of the workday. Incidents of failure to remain on duty will be treated in the same manner as unauthorized or excessive absence.

CELL PHONES

The SMCEC may, at its discretion, provide some employees with cell phones at its expense for the primary purpose of conducting SMCEC business. Employees who are required to use their personal cell phone for SMCEC business will be compensated with a monthly stipend.

COMPANY CREDIT CARDS

The SMCEC's credit cards are to be used only for SMCEC business. Do not charge personal expenses to the SMCEC credit card. Abuse of a SMCEC credit card may cause the employee to lose the privilege of using a SMCEC credit card, and/or may lead to disciplinary action up to and including termination.

CODE OF CONDUCT

We place a high value on teamwork and ethical conduct. We follow the laws and regulations that govern us and as an employee, we expect you to do the same. You are expected to give loyal and efficient service and your conduct on and off the job is a direct reflection of the SMCEC.

Regardless of your classification, status or length of service, you are expected to meet and maintain our standards for job performance and behavior. Although there is no way to identify every possible violation of standards of conduct, the following is a partial list of infractions:

- Committing a fraudulent act or breach of trust under any circumstances.
- Engaging in acts of violence or threats in the workplace.
- Engaging in criminal conduct.
- Engaging in acts of dishonesty, fraud, theft, or sabotage.
- Removing or borrowing SMCEC property without prior authorization.
- Any violation of the SMCEC policy against harassment, including but not limited to sexual harassment.
- Posting harassing, threatening, slanderous or malicious posts on social media websites.
- Threatening, intimidating, coercing, using abusive or vulgar language, or interfering with the performance of other employees.
- Falsification of employment application, time records or SMCEC records.
- **Failing to notify your supervisor immediately of a missed meal or rest break.**
- Insubordination, refusal to comply with instructions, or failure to perform duties which are assigned.
- Damaging, misusing, losing, or destroying SMCEC property due to unauthorized use or careless and willful acts.
- Unsafe driving of company vehicles including golf carts and forklifts.
- Performance which does not meet the requirements of the position, including excessive absences or tardiness, walking off the job without notification to your supervisor and no call/no show to a scheduled shift.
- Working under the influence of alcohol or illegal drugs.
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace.
- Possession or use of firearms or weapons on SMCEC property.
- Willful violation for SMCEC safety, security rules, or SMCEC policies.

Violations of any SMCEC policy may lead to discipline, up to and including termination.

CUSTOMER RELATIONS

Every contact with a guest or client shall result in a satisfied customer. They should always be treated with the highest standards of professionalism and courtesy, even if the individual does not reciprocate. Remember it is the customers and clients who make us successful and will help us to continue to grow. When an employee encounters an uncomfortable situation that he or she does not feel capable of handling a supervisor should be called immediately.

CONFIDENTIAL INFORMATION

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 SMCEC, its suppliers, its customers, and fellow employees. You have a responsibility to avoid 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. Certain classes of employees may be required to sign a confidentiality agreement. Any breach of this policy will not be tolerated, and legal action may be taken by the SMCEC.

CONFLICTS OF INTEREST

You have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. Business dealings with outside firms should not result in unusual gain from those firms. Unusual gain refers to bribes, product bonuses, special fringe benefits, unusual price breaks and other windfalls designed to ultimately benefit you. An actual or potential conflict of interest occurs when you are in a position to influence a decision that may result in a personal gain for you or for a relative as a result of our business dealing. No presumption of a conflict is created by the mere existence of a relationship with outside firms. However, if you have any influence on transactions involving purchases, contracts or leases, it is imperative that you disclose the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

DRESS AND GROOMING STANDARDS

The SMCEC prides itself on the professional atmosphere it maintains and the favorable image that employees present as representatives of the SMCEC. Employees are expected to present a clean and neat appearance and to dress tastefully according to the requirements of their positions. At a minimum, work attire must not pose a safety hazard for the wearer or others, must not be distracting or revealing, and must not contain offensive graphics or slogans. If you are determined to be inappropriately dressed you may be sent home, without pay, to change. When we require as a condition of employment that you wear a uniform, we will provide it.

Some individuals are sensitive or allergic to perfumes and colognes. Employees must observe good habits of grooming and personal hygiene. To accommodate sensitive individuals, employees should not wear excessive amounts of fragrance/colognes.

Ask your supervisor if you have questions as to what constitutes appropriate attire.

DRUG FREE WORKPLACE

Use of alcohol or any controlled substance on the job adversely affects your work performance, efficiency, safety and health and the wellbeing of others. **Please note that marijuana and psilocybin are included in the definition of controlled substances within this policy.** Our workforce and workplace must be free of illegal substances (any drug which (a) is not legally obtainable or (b) is legally obtainable but has not been legally obtained. The term includes prescribed drugs not legally obtained and prescribed drugs not being used for the prescribed purposes.) This requirement is based upon the fact that any measurable amount of an illegal drug may render the employee physically or mentally impaired. While we recognize your right to your own lifestyle, we will not accept the risk that on-the-job or off-the-job drug abuse by you may cause or contribute to accidents or other job performance problems.

Furthermore, the use or being under the influence of any legally obtained drugs by you while performing SMCEC business or while in our facility is prohibited when the use or influence may affect the safety of co-workers, members of the public, your job performance or the safe or efficient operation of our facility. If you have any concerns that your use of a legal drug may present a safety risk, you are to contact your supervisor or human resources.

In order to provide you with some guidance concerning unacceptable behavior, we strictly prohibit the following:

- Possession, use, or working under the influence of alcohol and/or an illegal substance.
- Distribution, sale, dispensing, manufacture or purchase of illegal controlled substances or controlled substances used in an illegal way at the worksite.
- Driving an SMCEC vehicle at any time or your personal vehicle on SMCEC business while under the influence of alcohol or an illegal substance.
- The use of, or working under the influence of, any controlled substance, including prescription drugs, if such use or influence may affect the safety of co-workers, members of the public, your job performance or the safe or efficient operation of our facility.

If you have chemical dependencies (alcohol or drugs) we will encourage you to seek treatment and/or rehabilitation. To this end, if you desire such assistance you should request a treatment or rehabilitation leave mentioned previously in this handbook. If you violate the above rules and standards of conduct, we may bring the matter to the attention of appropriate law enforcement authorities.

Reasonable Suspicion Testing

You will be tested for the presence of drugs and/or alcohol if reasonable suspicion exists to indicate that your ability to perform your work or to work safely may be impaired. Also, if there is reasonable suspicion of your possession, distribution, dispensing, manufacture of illegal drugs, or usage of alcohol or illegal drugs at the workplace, reasonable suspicion testing will be required. If you are under the influence of drugs or alcohol, test positive for the presence of drugs or alcohol or if you refuse or otherwise fail to comply with the required suspicion-based testing process you may be subject to immediate suspension followed by termination of employment. Any drug test specimen that is diluted or with no temperature readings will be considered a failed drug test. A failed drug test may result in immediate suspension followed by termination of employment.

Marijuana

The drug free workplace policy applies equally to marijuana which remains an illegal drug under federal law.

GAMBLING AND WAGERING

Employees may not wager on horse racing or lottery during working hours, including breaks. Employees may not have someone wager for them during working hours. Employees may not sell lottery tickets to themselves or cash lottery tickets or scratchers for themselves.

Employees may not stoop. Stopping includes collecting tickets or vouchers from the floor, tables or trash while working or not working and running tickets/vouchers from the premises or cashing a ticket/voucher through a self-service betting machine. Taking a ticket/voucher from the premises that was not purchased or wagered by the employee themselves is considered theft. Uncashed tickets and vouchers are the property of the simulcast facility that has the license to operate the facility. Should a winning ticket or a voucher be turned in, employees must follow the facility procedures for turning in a lost ticket/voucher. Employees may not tout. As defined by the California Horse Racing Board, Rules and Regulations: Article 19, section 1980, (3); Touting includes any act prohibited by Section 337.1 of the Penal Code; and further includes offering to furnish information concerning a selection of a horse for wagering purposes, or predicting the outcome of a race for wagering purposes, in exchange for a pari-mutuel ticket or other consideration which is contingent on the outcome of the race; or soliciting compensations of a gratuity either before or after a race for any racing information, racing selection or racing prediction for wagering purposes, except in the manner permitted by law.

It is acceptable for employees to wager before they start work and after their working hours. Wagering during work hours is a serious offense and may result in immediate termination of employment. Stopping and touting during working hours or not during working hours, is a serious offense and may result in immediate termination.

GIFTS

Every customer is entitled to efficient and courteous service. Since such service is given impartially to all, gratuities are not expected. Therefore, you are not allowed to accept gifts from customers, vendors or visitors. Employees may accept ordinary business courtesies, such as gifts which are promotional items without significant value, and which are distributed widely.

NEPOTISM AND EMPLOYEE RELATIONSHIPS

You may not be placed into a position where you are the immediate supervisor or have a direct or indirect line of authority over another family member. If you become related during employment, action may be taken so that there is no reporting relationship. Relatives include an employee's parent, child, spouse, registered domestic partner, sibling, in-laws and step relationships.

We realize that social relationships may occur in the workplace. To ensure a relationship does not violate our harassment policy, employees who enter into such relationships must notify their supervisor of the relationship and review the policy prohibiting harassment in the workplace. It is the responsibility of each party to ensure that they conduct themselves in a completely professional manner, will not engage in offensive work behavior, and that the social relationship will not adversely affect an employee's individual work performance. We do prohibit such social relationships between a supervisor and subordinate. Social relationships between a supervisor and subordinate can be harmful not only to the people involved but also to the work group in general and therefore they are prohibited.

NEWS MEDIA CONTACT

Employees may be approached for interviews or comments by the news media. Only contact people designated by the CEO may comment to news reporters on SMCEC policy or events relevant to SMCEC.

SMCEC AND PERSONAL PROPERTY INSPECTIONS

The SMCEC provides offices, workstations, and computers for the convenience and use of its employees at the SMCEC's expense. Employees should remember that the equipment and facilities remain the sole property of the SMCEC. The SMCEC respects the individual privacy rights of its employees; however, employee privacy does not extend to the employee's work-related conduct or to the use of SMCEC-provided equipment and facilities. The SMCEC reserves the right to open and inspect desks, drawers, and cabinets as well as any contents, effects, or articles that are in these areas. Such inspections may occur at any time, with or without advance notice or consent. An inspection may be conducted before, during, or after working hours by any supervisor, manager or security personnel designated by the SMCEC.

The SMCEC is not responsible for any personal articles that are placed or left in a desk or work area that are lost, damaged, stolen or destroyed.

Employees are not allowed to store personal property at the SMCEC without a written storage agreement.

SMOKING

Smoking is prohibited in all indoor areas of the SMCEC. Smoking is only permitted in designated smoking areas outside of the buildings. Smoking is defined to include cigarettes, pipes, cigars as well as any electronic smoking device (i.e. e-cigarettes, vaporizer pens).

UNAUTHORIZED REMOVAL, USE OR POSSESSION OF SMCEC PROPERTY

SMCEC property includes, but is not limited to SMCEC vehicles, maintenance and construction equipment and tools, office equipment, documents and files. SMCEC property may only be used on authorized jobs and may not be used by employees for personal purposes. At no time may an employee or friend/relative of an employee remove or keep in their personal possession any property without approval from management. We reserve the right to notify the appropriate authorities with the names of the individuals involved in the unauthorized possession of SMCEC property.

USE OF COMPUTERS, EMAIL & INTERNET

SMCEC has established the following policy for employee use of the company's technology and communications networks, including the internet and e-mail, in an appropriate, ethical and professional manner.

Confidentiality and Monitoring

All technology provided by SMCEC including computer systems, communication networks, company-related work records and other information stored electronically, is the property of SMCEC and not the employee. In general, use of the company's technology systems and electronic communications should be job-related and not for personal convenience. SMCEC reserves the right to examine, monitor and regulate e-mail and other electronic communications, directories, files and all other content, including internet use, transmitted by or stored in its technology systems, whether onsite or offsite. Internal and external e-mail, voice mail, text messages and other electronic communications are considered business records and may be subject to discovery in the event of litigation. You should not consider internet usage or voice and electronic communications on SMCEC property to be private. All passwords must be provided upon request by management so that we may access your system at any time, including when you are absent.

Appropriate Use

SMCEC employees are expected to use technology responsibly and productively as necessary for their jobs.

Employees are prohibited from downloading software or other program files or online services from the Internet without prior approval from their supervisor. All files or software should be passed through virus-protection programs prior to use. Failure to detect viruses could result in corruption or damage to files or unauthorized entry into company systems and networks.

SMCEC employees are to use their assigned SMCEC email address for all business communications. Personal email addresses are not to be used for business communications.

SMCEC documents are not to be stored in outside servers or clouds without authorization from your supervisor.

Harassment, nondiscrimination and solicitation policies all extend to such use. Sending, saving or viewing offensive material on the internet is prohibited. Similarly, voice mail and electronic mail messages may not contain content that is offensive or disruptive to any person. Offensive material includes, but is not limited to, sexual comments, jokes or images, racial slurs, gender-specific comments or any comments, jokes or images that would offend someone on the basis of his or her age, disability, gender, race, religion, national origin, physical attributes, sexual orientation or any other characteristic or activity protected by applicable law. Any use of the internet or other electronic systems to harass or discriminate is strictly prohibited. You are responsible for the content of all text, audio or images that you place or send over the internet. Violators of this policy may be subject to discipline, up to and including termination.

WORKPLACE VIOLENCE

We do not tolerate threats or acts of violence in the workplace. This includes such things as physical violence and fighting, but also includes vulgar or abusive language, threatening, intimidating or coercive behavior aimed directly or indirectly at any employee or person doing business with us.

It is our expectation that all employees treat each other in a considerate and respectful manner. You should feel free to report, without fear of retaliation, any condition that you believe poses a safety, health or security risk in the workplace. We will investigate such reports promptly and thoroughly and take appropriate corrective action to support this policy. We will consider any comments or jokes regarding threats of violence as serious, and deal with them in a timely manner.

SAFETY

HEALTH AND SAFETY

Establishment and maintenance of a safe work environment are the shared responsibilities of the SMCEC and its employees. The SMCEC will do everything in its control to assure a safe work environment in compliance with federal, state and local safety regulations. Employees are required to obey safety rules and to exercise caution in all their work activities. The employees are required to report any unsafe conditions to their supervisor immediately.

ILLNESS OR INJURY ON THE JOB

If you receive an injury while on the job or in the course of employment, IMMEDIATELY report to your supervisor the following information; time of accident, location where the

accident occurred, circumstances of the accident, description of the injury and any witness(es) to the accident. Injuries that you may feel are minor at the time of the accident may develop further complications. Report all accidents to your supervisor IMMEDIATELY for your protection.

You may elect, either at the time you are hired or later in your employment, to be treated by your own pre-designated personal physician in the event of an injury on the job. You must notify HR in writing prior to the date of an injury that this is your wish. "Personal physician" is defined as your regular primary care physician or surgeon who has directed medical treatment on previous occasions and who retains your medical records and agrees to be pre-designated.

INJURY AND ILLNESS PREVENTION PROGRAM

In compliance with California law, and to promote a workplace free of safety hazards, SMCEC maintains an Injury and Illness Prevention Program (IIPP) **which also includes our COVID prevention guidelines**. This program is available for review by employees by written request and HR will comply with the request within five business days.

We all want SMCEC to be a safe and healthy place to work. If you see an unsafe condition in SMCEC, please report it immediately to your manager so it can be corrected. In addition, follow these safety guidelines that are based on the experience and suggestions of workers and managers from many industries.

PERSONAL VEHICLE USE

You will receive the IRS approved mileage reimbursement whenever you are required to use your own vehicle to perform SMCEC business. We will not pay for any fines or tickets you receive while driving on SMCEC business.

SMCEC VEHICLES

Only Full-Time Regular and Part-Time Regular employees are authorized to drive SMCEC vehicles (including golf carts) and must have a valid driver's license and automobile insurance and be at least 18 years old. Vehicles registered to SMCEC shall not be used without the approval of the CEO or their designated representative. Employees driving an SMCEC vehicle (including golf carts, forklifts or any other mechanical equipment) or driving a personal vehicle on SMCEC business must observe all safety, traffic, and criminal laws of this state. No driver may consume alcohol or illegal drugs while driving an SMCEC vehicle, while driving a personal vehicle on SMCEC business or prior to the employee's shift if such consumption would result in a detectable amount of alcohol or illegal drugs being present in the employee's system while on duty.

Additionally, no driver may consume or use any substance, regardless of legality or prescription status, if by so doing, the driver's ability to safely operate a motor vehicle and carry out other work-related duties would be impaired or diminished. No driver may pick up or transport non-employees while in an SMCEC vehicle or on SMCEC business unless there is a work-related need to do

so. Employees shall not smoke while operating any SMCEC vehicle.

Any employee driving on SMCEC business is prohibited from using cell phones while driving on SMCEC business. In compliance with state law you must use a hands-free device or safely pull off the road when using the device while driving.

VACCINATION POLICY – COVID-19

~~In accordance with the San Mateo County Event Center's duty to provide and maintain a workplace that is free of known hazards, we are adopting this policy to safeguard the health of our employees and their families; our customers and visitors; and the community at large from infectious diseases, such as COVID-19, that may be reduced by vaccinations. This policy will comply with all applicable laws and is based on guidance from the Centers for Disease Control and Prevention and local health authorities, as applicable.~~

~~All employees are required to be fully vaccinated for COVID. For purposes of this policy, an employee is considered fully vaccinated if they meet current CDC recommended vaccination guidance. Employees must provide proof of vaccination to the SMCEC upon hire. Active employees not in compliance with this policy will be placed on unpaid leave and may be subject to termination. Employees should contact Human Resources with any questions or concerns.~~

VEHICLE ACCIDENTS

Vehicle accidents which occur while conducting SMCEC business must be reported to the CEO or his/her designee as soon as possible. Employees involved in an accident while driving an SMCEC vehicle or when driving a personal vehicle on SMCEC business must follow these guidelines:

- Seek immediate medical attention if there are injuries.
- Obtain contact, insurance and vehicle information from other parties involved.
- Make no comment or statement regarding the accident to anyone except the police or SMCEC management.
- Make no statements concerning guilt or fault.
- Never agree to make payment for the accident.
- Complete an accident report form.

SEPARATION OF EMPLOYMENT

TYPES OF SEPARATION

Resignation

Resignation is a voluntary act initiated by the employee to end employment with the SMCEC. Resignations must be submitted in writing to Human Resources.

Termination

Employees of SMCEC are employed on an at-will basis, and the SMCEC may terminate an employee at any time, with or without advance notice and with or without cause.

Job Abandonment

Any employee who fails to report to work without notification to his or her supervisor may be considered to have voluntarily terminated their employment relationship.

Reorganization/Reduction in Work Force

An employee may be laid off due to lack of work, changes in duties, organizational changes or the completion of a temporary/seasonal assignment.

FINAL PAY

The SMCEC will issue final pay in accordance with federal, state and local laws and regulations.

REFERENCES

All employment reference check inquiries from prospective employers about current or former employees should be directed to HR. Managers, supervisors or other employees must consult with HR prior to issuing written or verbal references.

RETURN OF SMCEC PROPERTY

The separating employee must return all SMCEC property at the time of separation, including uniforms, cellphones, keys, laptops, identification cards, credit cards and any other items owned by SMCEC.

ACKNOWLEDGMENT OF RECEIPT OF HANDBOOK

If I am a nonexempt employee, I understand that I will be authorized and permitted to take an unpaid, duty-free meal period of no less than 30 minutes whenever I exceed five hours in a workday. The meal period should begin prior to completing my fifth hour of work unless I am scheduled to work six (6) hours or less, and the SMCEC and I agree in writing that the meal period may be waived. I understand I am authorized and permitted a second unpaid, duty-free meal period of 30 minutes whenever I work for a period of more than 10 hours in any workday.

If I am a non-exempt employee, I also understand that I am authorized and permitted to take one, ten-minute paid rest break for every four hours worked or major fraction thereof. I further understand that the rest period should be taken as close to the middle of each work period as possible.

I understand that my employer is committed to fulfilling its obligations under the Americans with Disabilities Act and any applicable state or other laws prohibiting discrimination against qualified individuals with disabilities. As part of this commitment, I understand that my employer wishes to make reasonable accommodations for individuals with known physical or mental disabilities, consistent with its legal obligations to do so. My employer also invites all individuals with disabilities to participate in a good faith, interactive process and identify reasonable accommodations that can be made without imposing an undue hardship.

I understand my employer's desire to participate in an interactive process and make reasonable accommodations in order to comply with any applicable legal requirements. I agree to provide any information necessary to achieve this goal if I wish to receive accommodations now or in the future as a result of a physical or mental disability.

I also acknowledge that this *Employee Handbook* supersedes and replaces any other employee handbook or similar document that may have been previously distributed. I further acknowledge that my employment is at-will and is not for a specified period of time and can be terminated at any time for any or no reason, with or without cause or notice.

By my signature below, I acknowledge that I have received a copy of this *Employee Handbook*. I also acknowledge that I have read and understand the contents of the *Employee Handbook*.

Date

Employee Name

Employee Signature

LACTATION ACCOMMODATION ACKNOWLEDGEMENT

The Company recognizes that breast milk is the optimal food for growth and development of infants and we support the rights and needs of breastfeeding employees. In compliance with state law, this policy establishes guidelines for promoting a breastfeeding-friendly work environment and supporting lactating employees at the Company for as long as they desire to express breastmilk.

Employees have the right to request lactation accommodation. The Company will provide breastfeeding employees with space in close proximity to the employee's work area that is shielded from view and free from intrusion from co-workers and the public, other than a restroom, to express breastmilk. The room or location may include the place where the employee normally works if it otherwise meets the requirements of the lactation space.

The Company will provide:

- A private space (other than a bathroom) for employees to express milk that is shielded from view and free from intrusion while the employee is expressing milk;
- This space will be safe, clean, and free from hazardous materials;
- Contain a surface to place breast pump on, personal items, and contain a place to sit;
- Has access to electricity or alternative devices, including but not limited to, extension cords or charging stations, needed to operate an electric or battery-powered breast pump;
- A sink with running water and refrigerator, or some other cooling device suitable for storing milk, will be made available.

In order to submit a request for lactation accommodation, please speak to your manager. We will respond to an employee's request for lactation accommodation within five (5) business days. In response to a request for lactation accommodation, if we are unable to provide an accommodation or a location that does not comply with the requirements as a result of an exemption, we will provide the basis upon which we are unable to grant your request. A copy of the request will be given to the employee and one retained by the Human Resources department.

Breaks necessary for lactation shall, if possible, run concurrently with employee's lunch and break time. If the time for an employee's break time does not run concurrently or when additional time is necessary, the break time may be unpaid.

The Company expressly prohibits retaliation against lactating employees for exercising their rights granted by the ordinance. This includes those who request time to express breast milk at work and/or who lodge a complaint related to the right to lactation accommodations. Employees have the right to file a complaint with the labor commissioner for any violation of rights provided under Chapter 3.8 of the California Labor Code regarding lactation accommodations.

Date

Employee Name

Employee Signature

ACKNOWLEDGMENT OF RECEIPT OF THE discrimination and Harassment free workplace POLICY

I acknowledge I have received a copy of the Discrimination and Harassment Free Workplace Policy (the "Policy") from SMCEC (the "Company"). I have read the Policy, understand it, and agree to follow it. I understand any employee who engages in conduct prohibited by the Policy will be subject to disciplinary action, up to and including termination.

I understand it is my obligation to refrain from engaging in conduct in violation of the Policy and also to report conduct which I believe violates the policy to enable the Company to take action as appropriate.

I also acknowledge that I have received a copy of the California Department of Fair Employment and Housing's Sexual Harassment Brochure called "The Facts About Sexual Harassment."

Date

Employee Name

Employee Signature

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