



**Issued: May, 2010**  
**Updated: 1-25-2024**

## **PREFACE**

Cal Poly Humboldt Sponsored Programs Foundation (SPF) is a non-profit auxiliary organization, a separate corporation, which assists Cal Poly Humboldt through the administration of grants, contracts, and other restricted fund accounts.

SPF is an Equal Opportunity/Affirmative Action employer. All qualified applicants will receive consideration for employment without regard to race, color, religion, sex including sexual orientation and gender identity, national origin, disability, protected Veteran Status, or any other characteristic protected by applicable federal, state, or local law.

This publication provides a general summary of SPF personnel policies, work rules, and benefits. This is not a legal document and is rather intended to highlight topics relevant to employment with SPF. SPF Management may from time to time take actions which affect administrative matters that are described in this publication and may amend these policies and procedures at any time. Accordingly, inquiries can be made to the appropriate contact to determine if specific descriptions are current. Contact the SPF Front Office to be routed to the appropriate contact. Exceptions to any of these policies can be approved by the SPF Executive Director.

Please read the entire publication so you will have a complete understanding of the material covered. Individuals are our most important asset. In all areas of university activity, our reputation for quality of work and for efficient and courteous service constitutes the cornerstone of success. Your suggestions for improving our procedures are welcomed and appreciated.

**\*\*\*NOTE: This manual is subject to changes and may be updated at any time \*\*\***

## TABLE OF CONTENTS

I. INTRODUCTION.....	4
II. EMPLOYMENT POLICIES AND PRACTICES.....	4
A. General.....	4
B. Definitions of SPF Employment.....	5
C. Employment Categories.....	5
D. Non-Discrimination and Harassment Policy & Complaint Procedure.....	7
1. Purpose.....	8
2. Process.....	8
E. Reasonable Accommodation Policy.....	8
F. Drug-Free Workplace.....	9
G. Employment Processes.....	10
H. Duration of Employment.....	10
I. Performance Evaluation.....	10
J. Compensation.....	10
K. Promotion.....	11
L. Change of Employee Information.....	11
M. Separations and Terminations.....	11
N. Conflict of Interest.....	12
O. Employment of Related Persons.....	12
P. Employment of Minors.....	12
1. Work Hours.....	12
2. Occupations.....	13
3. Exceptions for High School Graduates or their Equivalent.....	13
Q. Volunteers.....	13
R. Personnel Records.....	14
III. WAGES, HOURS AND PAY COMPUTATIONS.....	14
A. Standard Work Schedule.....	14
B. Rest Periods.....	14
1. Meal Periods.....	15
C. Exempt and Non-Exempt Employees & Overtime Premium Pay.....	15
D. Overtime.....	18
E. Pay Periods/Pay Days.....	18
F. Computation of Pay and Deductions.....	18
IV. DISTINCTION BETWEEN EMPLOYEES AND INDEPENDENT CONTRACTORS.....	19
V. BENEFITS.....	19
A. Statutory Benefits.....	19

1. State Disability Insurance (SDI).....	19
2. Workers' Compensation Insurance.....	19
3. Unemployment Insurance.....	20
4. Social Security and Medicare Insurances.....	20
B. Benefits by SPF Policy.....	20
1. Campus Holidays.....	20
2. Personal Holiday.....	20
3. Vacation.....	21
4. Paid Sick Leave.....	23
5. Paid Leaves of Absence.....	26
6. Unpaid Leaves of Absence.....	28
7. Work Related Education Expenses.....	30
8. Group Insurances & the Affordable Care Act (ACA).....	30
9. Retirement.....	31
C. Campus Benefits.....	32
1. Credit Union.....	32
2. Student Recreation Center Facilities Privileges.....	32
3. I.D. Cards.....	32
4. Library Privileges.....	32
5. Campus Parking.....	33
6. E-mail Access Privileges.....	33
7. Direct Deposit.....	33
VI. STANDARDS OF CONDUCT.....	33
A. Attendance.....	33
B. Safety.....	33
C. Dress.....	33
D. Courtesy, Respect and Professionalism.....	34
VII. CONFLICT RESOLUTION.....	34
VIII. MISCELLANEOUS POLICIES.....	34
A. Keys.....	34
B. Separation Clearance.....	34
C. Traffic Violations.....	34
D. Personal Telephone Calls.....	35
E. Smoking.....	35
F. Child Care Center.....	35
G. Injury Reporting.....	35
H. Power Outages & Campus Closure.....	35
I. Trainings.....	36

## I. INTRODUCTION

The Cal Poly Humboldt Sponsored Programs Foundation (SPF) is an auxiliary organization at Cal Poly Humboldt under the direction and control of a Board of Directors. SPF is a California not-for-profit, public benefit corporation, having been incorporated in 1952. It is exempt from taxation under Section 501(c)(3) of the United States Internal Revenue Code and under Section 23701 of the California Revenue and Taxation Code.

SPF's primary mission is to provide the campus community with professional and accessible Pre- and Post-award grant and contract services. SPF administers virtually all externally-funded grants/contracts and submits proposals to external funding agencies on behalf of Cal Poly Humboldt.

Our staff works to facilitate efforts that support our students through involvement in research that enhances the likelihood that our students will graduate and strive for a higher degree, will achieve at the highest levels, and will remember Humboldt as their starting point.

As part of the Office of Research, SPF is also located in the Student Business Services Building, Room 427. SPF can be reached by phone at (707) 826-4189 or by email at [hsuf@humboldt.edu](mailto:hsuf@humboldt.edu)

## II. EMPLOYMENT POLICIES AND PRACTICES

### A. General

Employment within SPF is described in Education Code Section 89900 and in Title 5, Section 42405 of the California Code of Regulations. Those regulatory code sections recognize that research foundations have two distinct functions of activity: restricted activity (**Restricted Fund Operations** - e.g. grants/contracts) and unrestricted activity (grants management activities – known as **General Operations**). The regulations of The California State University (CSU) require the separation of restricted and unrestricted activity. It should be understood that the terms "restricted" and "unrestricted" do not refer to employees but rather to funding sources.

Almost all SPF employees are in positions regulated by the foregoing code section. This publication primarily describes administrative procedures applicable to those employees, including both student and non-student employees.

Because of the temporary nature of grants/contracts, permanent status (tenure) cannot be granted. Accordingly, either the employee or SPF can terminate the employment relationship at any time with or without cause. All employee appointments are considered "at will" employment status.

Neither this handbook nor any other verbal or written communication by a management representative is, nor should it be considered to be, an agreement, contract of employment,

express or implied, or a promise of treatment in any particular manner in any given situation, nor does it confer any contractual rights whatsoever.

SPF adheres to the policy of employment at will, which permits the employer or the employee to end the employment relationship at any time, for any reason, with or without cause or notice as permissible by law. No SPF representative other than the Executive Director may modify at-will status and/or provide any special arrangement concerning terms or conditions of employment in an individual case or generally and any such modification must be in a signed writing.

As a courtesy, all projects within SPF are encouraged to provide two weeks' written notice of employment actions. Any oral or written statements or promises to the contrary are not binding upon SPF, unless agreed to in writing by SPF's management and/or its Board of Directors.

**B. Definitions of SPF Employment**

The term "SPF Employees" applies to all individuals who receive a payroll check processed through SPF's payroll system.

All SPF Employees are considered either:

Project Employees - applies to all individuals who are employed from restricted funds provided through a grant/contract. Project employees are typically hired for the duration of the grant/contact's period of performance, though employment may be extended if awards are renewed or other funding is identified.

General Operations Employees - applies to all individuals who are employed from unrestricted funds within SPF's central administration. Such employees are under the direction and supervision of SPF's Executive Director and/or SPF's Board of Directors.

**C. Employment Categories**

All SPF Employees are appointed to one of the following categories:

"Regular Staff- Category A" are considered 'full time' SPF employees appointed to work **between 30-40 hours per week** for at least three months or longer. Category A employees report sick leave, vacation, etc., due at the end of each pay period on their timesheet. These employees are eligible for group insurances such as medical, dental, vision and life insurance. They may be eligible for retirement after completing 1 year of service with 1,000 hours in that calendar year, if over 21 years of age. (601810)

"Regular Staff - Category B" are considered 'part time' SPF employees appointed to work **between 20-29 hours per week** for at least three months or longer. Category B employees

report sick leave, vacation, etc., due at the end of each pay period on their timesheet. These employees are eligible for vacation and sick leave, but are *not eligible* for group insurances. They may be eligible for retirement after completing 1 year of service with 1,000 hours in that calendar year, if over 21 years of age. (601840)

"Undergraduate/Graduate Student – Category C" this employment category applies to enrolled Cal Poly Humboldt students who are carrying at least 6 units as an undergraduate or 4.5 units as a graduate student. Category C employees are limited to working **no more than 20 hours per week**; including combined total hours worked across other campus business entities (e.g. Stateside, Associated Students, etc.). Category C employees may report sick leave (when ill) due at the end of each pay period on their timesheet. They are not eligible for retirement, group insurance, or vacation.

Students working in this category are social security tax exempt during the academic months; this exemption does not apply during summer months (June and July). Category C employees can remain appointed under this category past spring commencement through the end of July payroll. If they are continuing through August 1st, they must be reappointed to the appropriate category. (601830)

Wage ranges for Category C Employees as of **January 1, 2024** are as follows:

- Undergraduate Students - \$16.00-\$22.25 per hour
- Graduate Students - \$16.00-\$24.00 per hour

"Occasional – Category D" are considered seasonal, temporary, or intermittent employees who either average **less than 19 hours per week**, or work **up to 40 hours per week** for less than three complete months. Category D employees report sick leave due at the end of each pay period on their timesheet. They are not eligible for group insurance or vacation. They may be eligible for retirement after completing 1 year of service with 1,000 hours in that calendar year, if over 21 years of age.

This category includes non-matriculated minors, enrolled Cal Poly Humboldt students who are below the required unit cap (see the ‘Category - C’ definition above), and/or emergency hires.

The project supervisor is responsible for monitoring hours and re-appointment to another appropriate category if the length of employment or anticipated time base exceeds the stated definitions of a Category D. (601840)

"Stateside – Category E" applies to Faculty/Staff that work for SPF **less than 30 hours per week** and are either: concurrently employed by Cal Poly Humboldt or have been granted Emeritus/Adjunct/Research Associate status. (601840)

The California State University (CSU) establishes reasonable limits on the total capacity an individual may work within the CSU system. “Additional Employment” refers to any CSU appointment that is in addition to the employee’s primary stateside assignment. A maximum of 125% time-base is allowed under certain circumstances. For more information [Click Here](#).

Faculty/Staff - Concurrently employed by Cal Poly Humboldt must use an hourly rate that matches their most appropriate institutional base rate.

Emeritus/Adjunct/Research Associates - When serving as Principal Investigators, SPF will apply an hourly rate that matches their most appropriate institutional base rate. This rate may be adjusted to reflect retroactive cost of living increases that have been applied since the time they left active payroll status. SPF typically calculates the increases at 3% per year. When serving as collaborators or consultants, SPF may apply a different hourly rate which will require additional justification to address current market rates.

#### **D. Non-Discrimination and Harassment Policy & Complaint Procedure**

SPF is an Equal Opportunity Employer that does not discriminate on the basis of actual or perceived race, color, national origin, ancestry, sex, gender, gender identity (including transgender status), gender expression, pregnancy, childbirth or related medical condition, reproductive health decision-making, religious creed, physical disability, mental disability, age, medical condition (cancer), marital status, veteran status, sexual orientation, genetic information, or any other characteristic protected by federal, state or local law. Our management team is dedicated to this policy with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities and general treatment during employment.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of Human Resources. SPF will not allow any form of retaliation against individuals who raise issues of equal employment opportunity. If an employee feels they have been subjected to any such retaliation, they should bring it to the attention of Human Resources. To ensure our workplace is free of artificial barriers, violation of this policy including any improper retaliatory conduct will lead to discipline, up to and including discharge. All employees must cooperate with all investigations.

As part of our Affirmative Action Program the full Affirmative Action Plan for individuals with disabilities and veterans shall be available for inspection by any applicant or employee upon request. [Click Here](#) to view the plan.

Employees who cause these rights to be violated may be subject to discipline.

## 1. Purpose

The purpose of these procedures is to provide an opportunity to resolve matters alleging discrimination. Anyone who believes their rights have been abridged is encouraged to report such acts as soon as possible after an incident. It is important to recognize that delay in taking formal action with respect to an incident might foreclose access to federal or state investigative agencies. Filing a complaint with SPF is not a prerequisite to filing a complaint with a federal or state agency. Any SPF employee may utilize the Cal Poly Humboldt's [discrimination reporting process](#) to bring a formal complaint under this policy.

In addition to its general duty to create and maintain an environment free of discrimination and discriminatory harassment, SPF also recognizes its obligations to all individuals involved in claims of discrimination, including claims of discriminatory harassment, to provide a fair framework for encouraging the resolution of such complaints. It is the policy of SPF and in accordance with the CSU, any employee who knows or has reason to know of incident(s) that may violate the [Interim CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Stalking, and Retaliation](#) has a [duty to promptly report](#) to the Cal Poly Humboldt Office of TIX/DHR or other authorized individuals to receive such reports, such as, the Cal Poly Humboldt Office of Human Resources.

## 2. Process

Cal Poly Humboldt Title IX Coordinator/DHR Administrator investigates complaints of discrimination and takes appropriate actions based on the findings. It is the policy of SPF to follow the process and procedures in accordance with the established Interim CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Stalking, and Retaliation.

In addition, SPF complies with all Federal funding agency requirements regarding harassment reporting. Once claims are fully investigated on any Federal sponsored award, SPF is required to notify the Federal agency when a PI or Co-PI (senior key personnel) are found to be in violation. SPF will [coordinate its investigation](#) with the Cal Poly Humboldt Title IX Coordinator/DHR Administrator.

## E. Reasonable Accommodation Policy

SPF is committed to providing reasonable accommodation to qualified applicants and employees with disabilities. SPF employees and applicants who are seeking reasonable accommodation because of a disability are encouraged to do so. SPF employees and applicants may contact the Campus ADA Coordinator for information about [how to request a reasonable accommodation](#) and about the reasonable accommodation interactive process.



SPF will endeavor to make a reasonable accommodation to the known physical or mental limitations of qualified employees with disabilities unless the accommodation would impose an undue hardship on the operation of our business. If you need assistance to perform your job duties because of a physical or mental condition, please let SPF know as soon as possible to begin the interactive process so that the employer and the employee can determine if a reasonable accommodation can be made. SPF will endeavor to accommodate the sincere religious beliefs of its employees to the extent such accommodation does not pose an undue hardship on the programs' operations.

**F. Drug-Free Workplace**

SPF provides a written copy of its policy to all employees to inform them of our Drug-Free Workplace Policy.

To help ensure a safe, healthy and productive work environment for our employees and others, to protect employer property, and to ensure efficient operations, SPF has adopted a policy of maintaining a workplace free of drugs and alcohol. This policy applies to all employees and other individuals who perform work for SPF.

The unlawful or unauthorized use, abuse, solicitation, theft, possession, transfer, purchase, sale or distribution of controlled substances, drug paraphernalia or alcohol by an individual anywhere on employer premises, while on employer business (whether or not on employer premises) or while representing the employer, is strictly prohibited. Employees and other individuals who work for SPF also are prohibited from reporting to work or working while they are using or under the influence of alcohol or any controlled substances, which may impact an employee's ability to perform his or her job or otherwise pose safety concerns, except when the use is pursuant to a licensed medical practitioner's instructions and the licensed medical practitioner authorized the employee or individual to report to work. However, this does not extend any right to report to work under the influence of medical marijuana or to use medical marijuana as a defense to a positive drug test, to the extent an employee is subject to any drug testing requirement, to the extent permitted by and in accordance with applicable law. This restriction does not apply to responsible drinking of alcohol at business meetings and related social outings.

SPF maintains a policy of non-discrimination and will endeavor to make reasonable accommodations to assist individuals recovering from substance and alcohol dependencies, and those who have a medical history which reflects treatment for substance abuse conditions. However, employees may not request an accommodation to avoid discipline for a policy violation. We encourage employees to seek assistance before their substance abuse or alcohol misuse renders them unable to perform the essential functions of their jobs, or jeopardizes the health and safety of any SPF employee, including themselves.

Employees must notify their employer within five calendar days if they are convicted of a criminal drug violation in the workplace. Within ten (10) days of such notification or other actual notice, the employer will advise the contracting agency of such conviction.

All employees are hereby advised that full compliance with the foregoing policy shall be a condition of employment at SPF.

Any employee who violates the foregoing drug-free workplace policy described above shall be subject to discipline up to and including immediate discharge.

In the discretion of SPF, any employee who violates the drug-free workplace policy may be required, in connection with or in lieu of disciplinary sanctions, to participate to the employer's satisfaction in an approved drug assistance or rehabilitation program.

**G. Employment Processes**

Before any employee is legally authorized to start work on a grant, trust, or any SPF related project they must complete all required hiring paperwork known as the 'new hire checklist' electronically through KRONOS/UKG.

For new employees, hiring paperwork should be initiated by the Principal Investigator (PI) or delegated Timekeeper through an 'HR Action' request at least two weeks prior to submitting their first timesheet in KRONOS/UKG.

SPF is required by law to verify that every person hired is a United States citizen, a United States permanent resident, or otherwise permitted to work in this country. Employment verifications should be completed within 72-hours from the initial start date.

**H. Duration of Employment**

All employee appointments are considered "at will" employment status. Permanent status cannot be granted to any SPF Employee. Continued employment with SPF is dependent upon many factors, including employee performance, the availability of appropriate work, the period of performance of the funding source, and the availability of funds.

**I. Performance Evaluation**

Regular performance evaluations are strongly encouraged for all SPF employees. Evaluations are not centralized and are conducted by the supervisors at the project level. The purpose of evaluations is to let employees know how well they are performing their assigned duties; to provide a forum for discussing problems or solutions; to address training or education opportunities; and to enable assessment of both project/departmental and individual personal goals. If deficiencies are identified during an evaluation, performance improvement plans are encouraged to be utilized by supervisors.

**J. Compensation**

Compensation adjustments are solely dependent on the funding source and availability of funds. Pay increases are at the discretion of the supervisor, except when mandated by law, such as minimum wage requirements. Changes to compensation (increase or decrease) must be submitted by the Principal Investigator (PI) or delegated Timekeeper through an 'HR Action' request at least two weeks prior to the effective date.

**K. Promotion**

Promotions may be appropriate when a current employee will be taking on additional job duties, assumes greater responsibility and/or increased complexity in their current position.

When promotions are initiated the supervisor should be submitting an updated position description which may include a title change, increase in compensation, increase in time base, etc. Promotions are submitted by project directors or supervisors through KRONOS/UKG as an HR Action. Changes must be submitted at least one pay period prior to the effective date.

When vacancies occur, a promotion (versus posting a new recruitment) may be appropriate if vacated duties are divided among existing employees. Contact SPF HR Coordinator to discuss specific circumstances before submitting any HR Actions.

**L. Change of Employee Information**

Employees have 'self-service' access to update any of their relevant personal or payroll information through KRONOS/UKG at any time. This may include updates to mailing address, tax withholdings, contact information, etc.. If an employee has legally changed their name, they must also re-submit a revised I-9 with updated supporting documentation. Contact SPF HR Coordinator to initiate those additional changes.

**M. Separations and Terminations**

Either SPF or the employee can end the employment relationship at any time. Whomever initiates the separation will give notice if possible and practical. Though no notice is required of either party, a minimum of two weeks' notice is highly encouraged. There are no "bumping privileges" or "retreat rights" in SPF employment.

All Categories of SPF employees must be separated upon their employment ending. Supervisors are required to submit an HR Action through KRONOS/UKG on or before their last day working.

If the employee is a Category A (Full-Time) or Category B (Part-Time), Supervisors must submit an HR Action **at least two weeks prior to their separation date** to ensure applicable benefits (e.g. sick leave, vacation, etc...) do not continue to accrue past the end of their appointment.

The employee's final check should be presented to them at the time of separation. Payroll requires adequate notice to process final checks. Supervisors must coordinate through SPF to submit in KRONOS/UKG all final hours worked at least three days prior to their separation date to ensure compliance with California Labor Laws,

In the cases of involuntary terminations, Supervisors **must consult** with SPF Management prior to taking any formal action to ensure compliance and documentation of the termination.

**N. Conflict of Interest**

Employees may not work in any other job which might impair their performance at SPF or create a conflict of interest. All grant and contract proposals submitted by Cal Poly Humboldt personnel require review and approval through the Institutional Routing & Authorization process prior to submission to screen for reportable conflicts of interest.

**O. Employment of Related Persons**

The general policy of SPF is to avoid the employment of related persons in positions where they would either 1) have a supervisory relationship with each other, 2) where they would have the same immediate supervisor, or 3) where the nature of their working relationship might impact their ability to effectively carry out their hired duties.

Such "related persons" include: husband, wife, mother, father, daughter, son, sister, brother, step-relatives or in-laws in the same relationships, or any person residing in the employee's household. However, the employment of such persons is not prohibited and may be approved by SPF Management or the Board of Directors. Approval may be granted if the benefits to the project outweigh any potential risk, at the sole discretion of SPF.

In order to enforce the above policy, all employees must submit a 'Close Relative Disclosure Form' when/if applicable. Based on the information provided, SPF will work with the Supervisor to mitigate potential conflicts of interest.

**P. Employment of Minors**

Minors must obtain permits to work for the Sponsored Programs Foundation. SPF ensures Human Resources will keep work permits on file while the minor is employed. Minors may obtain work permits through their school district or superintendent's office. The permit should be completed and on file prior to the minor's appointment date.

**1. Work Hours**

A minor's age limits the number of hours they may work in a day. In all age categories below, all work must be performed outside of school hours.

a. 14 and 15 year-old Minors:

- May work a maximum of 3 hours on a day they are required to attend school.

- When school is in session, may work a maximum of 18 hours a week (except if employed in a school supervised or administered work program in which case the maximum is 23 hours a week).
- When school is not in session, may work a maximum of 8 hours per day or 40 hours per week.
- May work between the hours of 7:00 a.m. and 7:00 p.m. (may work until 9:00 p.m. between June 1 and Labor Day).
- Federal law permits some leeway for minors performing sports-attendant duties.

b. 16 and 17 year-old Minors:

- May work a maximum of 4 hours on a day they are required to attend school for four hours or more.
- May work a maximum of 8 hours on a school day that precedes a non-school day (e.g., Friday).
- May work between the hours of 5:00 a.m. and 10:00 p.m. (during an evening preceding a non-school day they may work until 12:30 a.m.).
- When school is not in session, may work a maximum of 8 hours per day or 48 hours per week.

**2. Occupations**

In general, minors over the age of 14 may work in occupations not deemed high risk by the [US Department of Labor](#). Minors may not work in occupations that involve power machinery and certain work in connection with the maintenance of cars, trucks, machines or equipment, or work in warehouses. For more information on the safe employment of minors visit <https://www.dir.ca.gov/dlse/dlse-cl.htm>

**3. Exceptions for High School Graduates or their Equivalent**

Minors who are high school graduates or have obtained a certificate of proficiency are not required to obtain a work permit and are not subject to the work hours restrictions; however, they must be provided the same wage rates as adults in the same classification. This exception does not apply to high school drop-outs or emancipated minors. However, minors who are high school graduates or have a certificate of proficiency are subject to state and federal restrictions on the type of work they can perform as outlined in the paragraph above.

**Q. Volunteers**

Effective May 5, 2011, the Board of Directors for the Sponsored Programs Foundation approved that any person who performs voluntary service without pay for the Sponsored

Programs Foundation shall be covered under SPF's Workers' Compensation program, provided the volunteer services are authorized by the Sponsored Programs Foundation.

Authorization is granted by submitting a Volunteer Identification Form. This form identifies the person as a SPF Volunteer and makes them eligible for worker's compensation insurance coverage if they are injured as a result of such volunteer services. If the volunteer is under 18 years of age, a parent or guardian must sign this form, in addition to the PI, granting permission for the minor's volunteer service. Minors do not need to obtain work permits to serve as a volunteer, though the same work hour limitations apply to volunteer service (see section regarding *Employment of Minors*).

**R. Personnel Records**

Employees have reasonable access to their employment records (such as sick leave and vacation accruals, withholding information, project appointments, and related payroll records). They may review them, request copies of their records, and may request corrections as needed. Official personnel records are maintained by SPF in KRONOS/UKG.

Supervisors should provide SPF copies of any relevant job description updates, evaluation materials, and disciplinary materials when appropriate to file with their official personnel record.

**Retention**

The retention period for employee records maintained by SPF in KRONOS/UKG is 5 years.

**III. WAGES, HOURS AND PAY COMPUTATIONS**

**A. Standard Work Schedule**

The standard work schedule for full-time employees is eight hours per day on five consecutive days from 8:00 am to 5:00 pm, excluding one hour for lunch.

**B. Rest Periods**

Non-exempt employees who work three-and-one-half (3-1/2) or more hours per day are provided one 10-minute rest break for every four (4) hours or major fraction thereof worked. For purposes of this policy, "major fraction" means any time greater than two (2) hours. For example, if an employee works more than six (6) hours, but no more than 10 hours in a workday, they are provided and should take two 10-minute rest breaks: one during the first half of a shift and a second rest break during the second half of the shift. If an employee works more than 10 hours but no more than 14 hours in a day, they are provided, and should take, three 10-minute rest breaks, and so on.

Rest breaks should be taken as close to the middle of each work period as is practical. Employees do not need to obtain their supervisor's approval or notify their supervisor when taking a rest break.

Employees are encouraged to take their rest breaks; they are not expected to and should not work during their rest breaks. Non-exempt employees are paid for all rest break periods.

## **1. Meal Periods**

If non-exempt employees work more than 5 hours in a workday, they are provided an unpaid, off-duty meal period of at least 30 minutes. If six (6) hours of work will complete the day's work, they may voluntarily waive the meal period in writing. Employees should see Human Resources if they would like to sign and submit a form that waives their right to a meal period if they work no more than six (6) hours in a day.

Employees who work more than 10 hours in a day are entitled to a second unpaid, off-duty 30-minute meal period. If an employee works no more than 12 hours, the employee can waive his or her second meal period, but only if the first one was not waived in any manner. Any waiver of the second meal period must be in writing and submitted before the second meal period.

Employees should see Human Resources if they would like to sign and submit a form that waives their right to a second meal period, as explained above. If they work more than 12 hours they may not waive and should take their second unpaid, off-duty 30-minute meal period.

Employees are responsible for coordinating their own meal periods with their supervisor, but they should begin no later than the end of the fifth hour of work. For example, an employee who begins working at 8:00 a.m. must begin his or her meal period no later than 1:00 p.m. When scheduling a meal period, employees should try to anticipate workflow and deadlines. Employees are encouraged to and should take their meal periods; they are not expected to work during their meal periods.

During meal periods, employees are relieved of all duty and should not work during this time. When taking a meal period, employees should be completely off work for at least 30 minutes. Employees are prohibited from working "off the clock" during their meal period.

Employees are required to immediately notify their supervisor, manager, or Human Resources if they believe they are being pressured or coerced by any manager, supervisor, or other employee to not take any portion of a provided rest break or meal period.

## **C. Exempt and Non-Exempt Employees & Overtime Premium Pay**

Exempt employees fall into one of the following three categories:

### **1. Executive or Managerial**

- a. Have duties and responsibilities that involve managing the primary business or a function of the business (e.g. Director, Manager, etc).

- b. Customarily and regularly supervise the work of two or more employees.
- c. Have the authority to hire or fire other employees or to make recommendations that carry weight about hiring/firing/promotion decisions.
- d. Customarily and regularly exercise discretionary powers.

**2. Administrative Employees**

- a. Perform office or non-manual work directly related to management policies or general business operations of an organization or customers, or perform functions in the administration of a school system or educational institution in work directly related to academic instruction or training.
- b. Customarily and regularly exercise discretion and independent judgment.
- c. Regularly and directly assist an exempt executive or administrative employee; or perform under only general supervision work along specialized or technical lines requiring special training, experience or knowledge; or execute special assignments and tasks under only general supervision.

**3. Professional Employees**

A person employed in a professional capacity means any employee who meets all of the following requirements:

- a. Who is licensed or certified by the State of California and is primarily engaged in the practice of one of the following recognized professions: law, medicine, dentistry, optometry, architecture, engineering, teaching, or accounting; or
- b. Who is primarily engaged in an occupation commonly recognized as a learned or artistic profession:
  - i. Work requiring knowledge of an advanced type in a field or science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study, as distinguished from a general academic education and from an apprenticeship, and from training in the performance of routine mental, manual, or physical processes, or work that is an essential part of or necessarily incident to any of the above work; or



ii. Work that is original and creative in character in a recognized field of artistic endeavor (as opposed to work which can be produced by a person endowed with general manual or intellectual ability and training), and the result of which depends primarily on the invention, imagination, or talent of the employee or work that is an essential part of or necessarily incident to any of the above work; and

iii. Whose work is predominantly intellectual and varied in character (as opposed to routine mental, manual, mechanical, or physical work) and is of such character that the output produced or the result accomplished cannot be standardized in relation to a given period of time.

c. Customarily and regularly exercise discretion and independent judgment.

### **General rules governing Exempt Employees:**

- Employees must be paid on a salary basis, meaning they must be paid the same predetermined amount every pay period (displayed as 86.67 hours per pay period for full time employees as an internal payroll calculation).
- Effective **January 1, 2024**: The minimum annual salary must be \$66,560 per year (\$32.00/hour). Because all faculty are exempt employees, they do not earn overtime. In order to conform to their CSU State exempt status, their project compensation must be stated as a daily rate or as a percentage of time, though hourly rates may be used for internal payroll calculation and timesheet purposes.
- Exempt Employees are hired to do a job, not work by the hour. As long as you worked any portion of a scheduled work day, you are not required to record partial absences, with the exception of FMLA.

Each of the exemptions - **Administrative, Executive and Professional** - require that the employee be "primarily engaged in" the duties which meet the test for the exemption. The term "primarily engaged in" means that more than one-half of the employee's work time must be spent engaged in exempt work and differs substantially from the federal test which simply requires that the "primary duty" of the employee falls within the exempt duties.

### **Non-Exempt Employees:**

General rules governing Non-Exempt Employees:

- Employees who do not meet the tests of exemption are non-exempt.
- Employees paid an hourly rate (i.e. not on a salary basis) are automatically non-exempt, regardless of their responsibilities.

- Employees making less than \$32.00/hr. or more are non-exempt.

#### **D. Overtime**

A non-exempt employee may not work overtime unless approved in advance by their appropriate supervisor.

California requires all non-exempt employees to be paid 1 1/2 times the regular rate of pay for hours worked (a) in excess of 8 hours per day; (b) in excess of 40 hours per week; (c) for the first 8 hours worked on the 7th work day in the week. Furthermore, California requires the employer to pay twice the regular rate for hours worked (a) in excess of 12 hours in a work day; (b) after 8 hours on the 7th work day in the week. SPF's work week runs from 12:01 am Sunday to 11:59 pm Saturday. Due to the requirements of the Fair Labor Standards Act, all overtime must be compensated in cash; not as compensatory time off (CTO).

Allowable overtime is not to be confused with student study time. For example, a student may "put in" ten hours on a project in one day, with a maximum of eight of those hours being compensated, and the other two hours being part of the student's educational study effort.

Overtime includes hours combined from work on multiple projects or when a University (State) non-exempt employee works a combined total over eight hours in a day or 40 hours in a week between State and SPF payroll. If an employee is paid two or more rates during the workweek their overtime is calculated using a "weighted average" rate. This rate is calculated by dividing an employee's total earnings for the workweek by the total hours worked during the workweek.

#### **E. Pay Periods/Pay Days**

The pay periods are from the 1st to the 15th and from the 16th to the last day of the month.

Pay days are usually on the workday closest to the 10th of the month and on the work day closest to the 25<sup>th</sup> day of the month.

In order to meet payroll deadlines employees must enter time in KRONOS/UKG and submit for approval to their supervisor by the specified dates ([see SPF pay schedule](#)) no later than the end of the pay period. An annual payroll schedule is published each January.

#### **F. Computation of Pay and Deductions**

Gross pay is equal to the hourly rate times hours worked in a given pay period, or the rate per month for salaried employees.

Deductions are those normally required by law and include the following: federal income tax withholding, state income tax withholding, social security tax withholding, Medicare tax

withholding, and state disability insurance. Other deductions may occur relative to such matters as group insurance, savings plans, etc.

#### **IV. DISTINCTION BETWEEN EMPLOYEES AND INDEPENDENT CONTRACTORS**

The position of both the state and federal government is that most situations where pay for services of an individual occurs constitute an employer-employee relationship. There are substantial penalties for failing to pay an employee through the payroll process.

If an individual is concurrently employed by the CSU, Cal Poly Humboldt, or any CSU Auxiliary, any additional work is done as an employee and is subject to payroll processes, including fringe benefit expenses and withholding.

An independent contractor relationship occurs when the transaction involves a business or sole proprietor performing a service for the project.

#### **V. BENEFITS**

There are two main types of benefits: those mandated by law (statutory), and those granted by SPF policy. Generally speaking, statutory benefits are required for all employees. Benefits by policy are available only to eligible employees (see definitions of Employment Categories).

##### **A. Statutory Benefits**

###### **1. State Disability Insurance (SDI)**

Each employee is covered by SDI, a State program which provides payments to a person unable to continue working because of a non-work-related off-the-job injury or illness disability. Disability is an illness or injury, either physical or mental, which prevents an employee from performing regular and customary work. Disability also includes elective surgery, pregnancy, childbirth, or other related medical conditions (including maternity) that is not covered by Workers' Compensation (except in very rare circumstances). Eligibility for benefits and payment amount are determined by the California Employment Development Department. SPF is required to withhold a percentage from an employee's regular earnings for this State insurance coverage. The SDI withholding rate is established by the California Employment Development Department and can change annually.

###### **2. Workers' Compensation Insurance**

Each employee is covered by Workers' Compensation insurance for work-related injuries that occur on the job and for job-related illnesses. If you are injured, report the accident immediately to your supervisor and to Human Resources. SPF is insured through the AOA-COMP Driver-Alliant Insurance Fund. The insurance is administered by Sedgwick CMS of Rancho Cordova, which determines

compensability eligibility and payment amounts. The cost of Workers' Compensation Insurance is paid entirely by SPF accounts and rates can change annually.

**3. Unemployment Insurance**

If your employment terminates, you may be eligible to receive unemployment insurance. In most cases, you must file a claim in order to collect this benefit. Should such a situation arise, you should inquire with Human Resources about unemployment insurance at the time of your separation from service.

**4. Social Security and Medicare Insurances**

All employees, except for the category "Student Employees" as defined in Section II C. above, are subject to withholding for Federal Insurance Contribution Act (FICA) taxes for Social Security, which includes retirement, survivors, disability, and Medicare benefits. The employee and the employer each pay an equal amount based on a percentage of the employee's gross wages, up to a maximum amount. The maximum for social security insurance and for Medicare insurance differ.

**B. Benefits by SPF Policy**

All Categories of SPF Employees are eligible for sick leave in accordance with California state law.

Only Category A and B employees are eligible for holiday, vacation, and certain other benefits, as described below. All other categories of employees are not eligible for these benefits.

The cost of these benefits are allocated to the individual grants and contracts, and the administration of these benefits is overseen by SPF Management and Board of Directors.

**1. Campus Holidays**

SPF follows the calendar of holidays established by the University's Green & Gold calendar, including a December holiday recess between Christmas and New Year's Day. The schedule of holidays for each year is available in June with the Green and Gold Calendar.

A "Category A or B" Non-Exempt SPF employee who works on a holiday shall be paid for those hours worked plus Holiday pay.

A "Category A or B" Exempt SPF employee who works on a holiday shall make prior arrangements with their supervisor for informal time off on an alternative date.

All other categories of employees who work on a holiday shall be paid for only those hours worked. Time worked on a holiday is not considered overtime.

**2. Personal Holiday**

“Category A or B ” employees are entitled to one "personal holiday" per calendar year, which is earned on the first of January, and is based proportionally to their appointed time base regardless of actual hours worked, e.g., a full-time employee (40 hours per week) earns a maximum of eight hours, or one personal holiday for the year, whereas a part-time employee (20 hours per week) earns a maximum of four hours. The personal holiday must be used during the calendar year; it may not be carried forward into the next year. Otherwise, the personal holiday may be used at the employee's option, including for personal or religious purposes, bereavement leave, ect. with their supervisor's approval. Separating employees will not be paid for an unused personal holiday.

**3. Vacation**

Vacation with pay shall be provided only to eligible “Category A or B” employees. Each such employee shall accrue benefits at a rate proportional to their appointed time base regardless of actual hours worked. The benefit accrual rate shall be proportionately reduced any time an employee’s time base is changed (40 hours per week = 6.67 vacation credits per month). If an employee is appointed at a certain time base but is consistently working more or less hours than appointed, supervisors should work with SPF to re-appoint the employee to a time base that accurately reflects hours worked to ensure appropriate accrual rates are being applied.

**a. Rate of Vacation Accrual**

(1) Upon completion of the first month's employment, each eligible “Category A or B” employee shall be provided with their earned vacation accrual. If employment starts mid-month, partial accruals will be given proportionally for that time. Vacation accruals are allocated in two increments on the first and the 16<sup>th</sup> of the month as follows:

Length of Service Vacation Allowance

Months of Employment	Total Hours/Month	Days/Year
1-36	6.67	10
37-72	10.00	15
73-120	11.33	17
121-180	12.67	18.5
181-240	14.00	21
241-300	15.33	23
Over 300	16.00	24

(2) Rate of vacation accrual for new employees can not be negotiated as part of a job offer. If an existing employee accepts a job from the University (or vice-versa), their length of service may be carried over for a higher starting vacation allowance subject to approval by Human Resources.

**b. Accruing Vacation**

(1) Vacation accrual will be earned during any leave with pay.

(2) Vacation accrual will not be considered as earned until the end of pay period.

(3) Vacation accrual will not be earned for time worked in excess of 40 hours per week.

(4) When the maximum accrual of 240 hours has been reached, no additional hours will accrue above that maximum until the 240 hours are reduced. Due to the nature of grants and contracts, vacation should be used within the grant or contract period of performance.

**c. Use of Vacation**

Use of vacation accrual shall be approved in accordance with the following:

(1) Vacation accrual will not be used prior to the time it is actually earned.

(2) Supervisory approval is required prior to the use of vacation accrual. Such supervisory approval shall not be unreasonably withheld. However, approval may be withheld based on workload demands, in the judgment of the Supervisor.

(3) Vacation accrual may be used, as necessary, for each absence due to the death of a person related to the employee by blood, by adoption, or by marriage, or of any person residing in the employee's household. A maximum of five such days may be taken per occurrence. Within the first 30 days of an employee's first day of bereavement leave, employers *may* request documents confirming the death of a family member – a death certificate, published obituary, or written verification of death, burial, or memorial service.

**d. Vacation Accrual upon Transfer or Separation**

When a "Category A or B" employee transfers from one grant or contract to another, vacation leave credit shall be transferred with them. "Category A or B" who separate employment with SPF shall be paid for accumulated vacation credit earned through the last working day. The vacation payout will be automatically added to the employee's final check, charged against their last project worked. If the Supervisor

wishes to charge the vacation payout to another (or multiple) projects, instructions must be sent to SPF in advance.

#### **4. Paid Sick Leave**

Pursuant to the Healthy Workplaces, Healthy Families Act, sick leave with pay will be provided to all Categories of SPF Employees in accordance with California state law and included on the employee's wage statement.

Supervisory notification is required prior to the use of sick leave. Notice to the Employee's Supervisor may be given orally or in writing. If the need for paid sick leave is foreseeable, the employee must provide reasonable advance notification. If the need for paid sick leave is unforeseeable, the employee must provide notice of the need for the leave as soon as practicable. Sick leave may be used at the employee's option during their regularly scheduled hours and will be paid at their appointed hourly rate for the project it is being claimed on.

Retaliation or discrimination against the employee, who requests paid sick days or uses paid sick days or both, is prohibited and employees may file a complaint with the Labor Commissioner against an employer who retaliates or discriminates against the employee. If employees have any questions regarding this policy, they should contact the Human Resources.

Sick leave varies based on your appointed Category as described below.

“Category A or B” employees accrue sick leave at a rate proportional to their appointed time base regardless of actual hours worked. Sick leave claimed in excess of an employee's accrued sick leave will be unpaid, unless an employee uses other time such as vacation or personal holiday. The sick leave accrual rate shall be proportionately reduced any time an employee's time base is changed (40 hours per week = 8 hours sick leave per month). If an employee is appointed at a certain time base but is consistently working more or less hours than appointed, supervisors should work with SPF to re-appoint the employee to a time base accurately reflecting hours worked to ensure appropriate accrual rates are being applied.

##### **a. Category A or B Employees: Rate of Sick Leave Accrual**

(1) Upon completion of the first month's employment, each eligible “Category A or B” employee will be provided with their earned sick leave accrual. If employment starts mid-month, partial accruals will be given proportionally for that time. Sick leave accruals are allocated in two increments on the first and the 16<sup>th</sup> of the month.

(2) Rate of sick leave accrual for new employees can not be negotiated as part of a job offer.

**b. Category A or B Employees: Accruing Sick Leave**

- (1) An employee accrues paid sick leave proportional to the amount of days they are on active pay status during a pay period.
- (2) An employee who has been approved for an unpaid leave of absence during part of a month shall earn proportionate sick leave for that month.
- (3) Sick leave will be earned during any paid leave.
- (4) Sick leave is earned at the end of each pay period.
- (5) Sick leave will not be earned for time worked in excess of 40 hours per week.
- (6) There is no maximum amount of sick leave a “Category A or B” employee can accrue. In the event of separation, unused sick leave will not be paid to any employee.
- (7) In the event of Category changes, the employee’s sick leave accrual rate will be adjusted according to the Category rules listed herein.

**c. Category C, D, and E Employees: Amount and Use of Paid Sick Leave**

- (1) Category C, D, and E Employees are provided 40 hours paid sick leave in each calendar year. For purposes of this policy, the year is the consecutive 12-month period beginning January 1st and ending on December 31st. Unused sick leave is not carried over from year to year and will be ‘reset’ to 40 hours each January 1st.
- (2) After fulfilling 30 days of employment, Category C, D, and E Employees will be provided 40 hours of paid sick leave. Employees can begin to use sick leave after 90 days of employment with SPF. After 90 days their sick leave balances will appear in their Accrual Balance in KRONOS/UKG and will be available for use thereafter.
- (3) In the event of separation, unused sick leave will not be paid to any employee.
- (4) In the event of Category changes, the employee’s sick leave accrual rate will be adjusted according to the Category rules listed herein.

**d. Appropriate Uses of Sick Leave**

- (1) Sick leave with pay shall be permitted when an employee is unable to perform work because of a physical or mental impairment or condition, including medical, dental, and optical appointments.



- (2) Childbirth is a valid use of sick leave credit for either parent. An employee shall not be required to take a leave of absence at a predetermined time prior to the anticipated delivery date so long as the employee is capable of performing their required tasks.
- (3) Sick leave may be used, as necessary, if an employee is required to be in attendance or to supply care when the employee's mother, father, husband, wife, son, daughter, brother, sister or any family member living in the employee's household or designated person (not including pets) is seriously ill.
- (4) Sick leave with pay may be used, as necessary, for each absence due to the death of a person related to the employee by blood, by adoption, or by marriage, or of any person residing in the employee's household. A maximum of five such days may be taken per occurrence. Within the first 30 days of an employee's first day of bereavement leave, employers *may* request documents confirming the death of a family member – a death certificate, published obituary, or written verification of death, burial, or memorial service.
- (5) Sick leave with pay while on vacation shall be authorized only when an employee has a major illness or injury, and is unable to continue their activity, as certified by a physician's statement.
- (6) Sick leave should not be claimed prior to the time it is actually earned.
- (7) Sick leave with pay in excess of five consecutive days *may* require substantiation by a physician's statement, at the discretion of the Supervisor.
- (8) Sick leave is not compensable at the termination of employment.

**e. Coordination of sick leave with State Disability Insurance (SDI) or Worker Compensation Insurance**

This paragraph clarifies sick leave as a coordinated benefit. Sick leave may be coordinated with the two coverage's that exist for all employees: Worker's compensation insurance and State Disability Insurance. The way coordination works is that sick leave can be drawn to the extent available to bring the level of pay up to the normal level, after any unpaid waiting period (neither worker's compensation nor disability coverage provide 100% of pre-illness compensation). Of course, coverage's in combination cannot result in a greater level of pay than would be the case were the employee still able to work full-time.

**f. Use of sick leave in relation to a termination of employment date**

When an employee is on sick leave status and the date of termination of the employment arrives, sick leave ends on that date of termination of employment. For example, since most employees on grants and contracts are hired for a project's duration, if an employee is in a category of employment covered by sick leave and then is on sick leave the last day of the grant or contract, that becomes the last day of sick leave pay, whether or not the illness or injury extends beyond that date.

SPF employees are covered by State Disability Insurance (SDI), which provides partial income replacement. Disability is an illness or injury, either physical or mental, which prevents you from performing your regular and customary work. Disability also includes elective surgery, pregnancy, childbirth, or other related medical conditions. Eligibility to SDI is determined by the Employment Development Department (EDD).

Because of the short time frame for fulfillment of grant and contract responsibilities, California law specifies that employment within grants and contracts and within trust agreement, with a university foundation is temporary employment. The employer or the employee may terminate the employment at will. Employers faced with the responsibility of fulfilling a grant or contract may be forced to terminate an employee in order to get the work done by another in order to fulfill the terms and conditions under which a grant or contract is awarded. Failure to fulfill a grant to contract can not only mean loss of the award involved, but also the loss of any further awards from that same source.

## **5. Paid Leaves of Absence**

### **a. Jury Duty**

Leave with pay shall be granted to Category A or B employees for actual time on jury duty, up to a maximum of ten working days in one calendar year, and for reasonable travel time required to perform such duty.

Jury duty includes the preliminary jury selection process, appearance in court as a member of a jury panel, or appearance at a coroner's inquest. A copy of the jury summons *may* be requested by the Supervisor to substantiate the leave.

Exempt employees will be paid their full wages for any week in which time is missed due to jury duty if work is performed for SPF during such week.

### **b. Leave to Vote**

Up to two hours' leave with pay shall be granted to Category A or B employees to vote in an election if they are unable to vote before or after regular work hours.

**c. Pregnancy Disability Leave**

SPF employees are eligible for Pregnancy Disability Leave (PDL) for up to 4 months commencing with the time that the employee is off work due to their pregnancy disability. PDL only covers an employee during a period of disability where their doctor has established that they are physically unable to work due to pregnancy. Once a doctor releases an employee to return to work (even if the employee elects and is allowed to take additional leave to stay at home with a new child) the protection under PDL ends. An employee must provide a statement from their doctor indicating the anticipated date the employee will no longer be pregnancy disabled. A pregnant employee may be covered by PDL and FMLA, when they're unable to perform the essential functions of their job because of pregnancy, childbirth or a related medical condition. Although there is no requirement for prior time worked for eligibility to PDL, there is a prior time worked requirement for eligibility to FMLA.

During PDL, SPF's share of cost for health benefits will continue to be paid, and any employee share of premiums will be remitted by the employee. It is important that employees notify the Human Resources of their intent to access State Disability Insurance (SDI) benefits and/or state-paid Family Leave, and if they will use their leave accruals to supplement either benefit. This will enable SPF to coordinate accruals with any leave programs to which the employee may be entitled.

**d. Family Medical Leave**

SPF policies comply with legal requirements arising from the federal Family and Medical Leave Act (FMLA), the California Family Rights Act (CFRA), and all other applicable laws and regulations.

**e. Eligibility**

An employee who has at least twelve (12) months of service and 1250 hours of service is entitled to Family Medical Leave without pay, on either an intermittent or a continuous basis within a 12 month period from the commencement of the leave. SPF FMLA incorporates both the Federal Family Medical Leave Act (FMLA) and California Family Rights Act (CFRA) leave entitlements and runs concurrently. FMLA and CFRA provide eligible employees with the equivalent of up to 12 weeks of leave per year for:

- Bonding with a newborn, adopted child, or child placed for foster care
- Caring for a family member\* with a serious health condition
- The employee's own serious health condition

- A qualifying exigency relating to a close family member’s military service. Arises out of the fact that the employee’s spouse, son, daughter, or parent is a covered military member on “covered active duty;” or twenty-six workweeks of leave during a single 12-month period to care for a covered servicemember with a serious injury or illness if the eligible employee is the service member's spouse, son, daughter, parent, or next of kin (military caregiver leave - FMLA only)

\*Eligible Family Members: spouse, son, daughter (The FMLA defines a “son or daughter” as a “biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing ‘in loco parentis,’ who is incapable of self-care because of a mental or physical disability), parent, sibling, grandparent or grandchild (CFRA includes that an employee can use leave to care for a ‘designated person’)

The 12 week entitlement is calculated on a forward rolling basis within a 12-month period, from the first date the employee's first FMLA leave begins. Employees who request FMLA for self are required to exhaust existing sick and vacation leave credits and personal holiday prior to being placed on unpaid FMLA leave. Employees who request FMLA to care for a family member must exhaust existing personal holiday and vacation credits. Existing sick leave credits may be used by mutual agreement.

SPF will continue to pay the employer portion of benefit premiums while on FMLA/CFRA.

For more information, please see [http://www.dfeh.ca.gov/Publications\\_CFRADefined.htm](http://www.dfeh.ca.gov/Publications_CFRADefined.htm) and <http://www.dol.gov/whd/fmla/>

For additional information, please contact Human Resources.

## **6. Unpaid Leaves of Absence**

Unpaid leaves of absence may be granted to eligible employees for such purposes as medical disability, personal emergency, witness duty, or military duty. All Category A or B employees may be considered for an unpaid leave of absence after completion of one year of service at SPF, except when required by state or federal law. SPF cannot guarantee reinstatement or other employment following an unpaid leave.

Subject to any applicable legal restrictions, requests for unpaid leaves of absence will be considered on the basis of the employee's length of service, performance,

responsibility level, the reason for the request, and SPF's ability to obtain a satisfactory replacement during the time the employee would be away from work.

If an employee accepts other employment, resigns, or fails to return to work on the next regularly scheduled workday following the expiration of their leave (without prior approval or valid excuse), it will be considered that the employee has voluntarily terminated their employment.

To apply for an unpaid leave of absence, the employee must submit a request in writing to their Supervisor. The Supervisor, in conjunction with the Project Director, forwards the request to SPF with their recommendation. The SPF Executive Director makes the final decision to grant, deny or extend any and all leave requests.

While on an unpaid leave of absence, the employee must make arrangements for direct payment of any premiums for health insurance with Payroll.

Benefit coverage and lapse of coverage is dependent on the length of unpaid leave:

- 1-30 day leave: No lapse in coverage. SPF will continue to pay the employer portion of benefits and the employee would need to remit their portion.
- 31- 90 day leave: Waiting period is partially waived, and benefits will start on the first day of the following month from the date the employee returns to work.
- 90+ day leave: Normal waiting period would be in place (benefits start on the first of the 2nd month, unless employee returns on the first of the month, in which case benefits would start on the first of the following month)
- If there is a lapse in coverage, employees will be offered Direct Pay, which allows them to pay 100% of the total premium to avoid the lapse.

Vacation and sick leave credit does not accrue while on unpaid leave status. Time on unpaid leave does not count toward an employee's service credit for the purpose of vacation accruals. Unpaid leaves of absence are not granted beyond the end of the grant or contract(s) period of performance. The employee must use up all their vacation credit and personal holiday before starting an unpaid leave of absence. Existing sick leave credits may be used by mutual agreement. Unpaid leaves are granted for up to one year.

When an employee is placed on an unpaid leave of absence, an effort will be made to hold their position open for the period of the approved leave. However, due to business needs, there will be times when positions cannot be held open.

**\*\*Please note that since SDI/PFL is considered an unpaid leave (paid through the state rather than by the employer), you will only be paid for the approved SDI/PFL**

hours on paid holidays. If you are supplementing your sick/vacation time, we will also use your accruals on paid holidays in the same way they would be applied on regular workdays.

**7. Work Related Education Expenses**

Reimbursement for work related education and professional development expenses is dependent on allowability of individual grant or contract funding. Accommodations of standard work hours to attend courses are at the discretion of the Supervisor.

**8. Group Insurances & the Affordable Care Act (ACA)**

Group insurances are as follows: health, dental, vision and life. A significant portion (approx. 90%) of the monthly premium for the coverage is paid by the respective employing SPF grant/contract. Eligible employees have the right to decline group insurance coverage, and may instead opt for flex cash. Those choosing to participate in group insurance must enroll with the current SPF-contracted local insurance agency to complete online enrollment forms or waive coverage. Employees must enroll within 30 days of their hire date, or will not be allowed to enroll until the next Open Enrollment period (typically June-July of each year). Responsibility for enrolling in health benefits lies solely with the employee. Instructions for enrollment procedures are provided to the employee by email. Coverage is effective no sooner than one month from the first of the month following the day of appointment (e.g. if an employee's start date June 1st, coverage will become effective July 1st. If an employee's start date is June 2nd or later, coverage will become effective August 1st). This is in keeping with insuring company regulations. Employees and their dependents have rights to continued coverage with the group policies but at their own expense, under COBRA provisions. Employees will receive notification of these rights upon enrollment in health benefits. The continuation rights are available upon leaving employment with SPF and are also available to dependents of employees and divorcing spouses.

**Eligibility to Medical, Dental, Vision & Life Insurance Benefits**

Regular Staff- Category A are eligible for medical, dental, vision and life insurance benefits or flex cash in lieu of benefits. Detailed information will be provided to the employee upon enrollment in the plans.

Effective January 1, 2015 the Affordable Care Act (ACA) will apply to all SPF employees. "Covered California" is targeted to individuals that are not eligible or do not have access to health insurance benefits. SPF's current benefits policy is consistent with the ACA's requirements:

- (1) Any employee who regularly works 30 hours or more per week must be offered health benefits under Affordable Care Act law. This is consistent with our current SPF benefit policy.
- (2) Any “variable hour” or “seasonal” employee (Category D Employee) who isn’t anticipated to work at least 30 hours per week will not be offered health benefits.
- (3) If you have employees that are working greater than 30 hours some weeks but not other weeks, then you need to make a good faith effort to calculate what their average hours will be over a 12 month period and appoint them to the appropriate employment category.
- (4) If a new hire has worked previously for SPF, then the actual hours worked over the last 12 months will be calculated to determine benefit eligibility. If that employee has averaged more than 29 hours per week, then benefits will be offered upon re-appointment.
- (5) When any employee holds two or more less-than-full-time positions through SPF, hours worked in each position shall be combined for the purposes of determining eligibility for applicable benefits. If the combined hours worked on multiple projects average 30 hours per week, benefits must be offered to the employee with the cost proportionally divided across each hiring project.

## **9. Retirement**

Effective on January 1, 2003, the SPF Board of Directors authorized the implementation of an employer paid 403(b) retirement investment plan. Principal Investigators responsible for projects that have eligible employees need to write this extra expense into their budgets.

Effective July 1, 2008, the current contribution rate is 10% and can be changed upon approval of the Board of Directors.

Effective October 1, 2018, the Humboldt State University Sponsored Programs Foundation 403(b) TDA Plan (the Prior Plan) was merged into and became a part of the new Cal Poly Humboldt Sponsored Programs Foundation 403(b) DC Plan (the Surviving Plan) with all accrued benefits and account balances under the Prior Plan becoming accrued benefits and account balances under the Surviving Plan. SPF is and has been the Plan Sponsor of both plans. Upon approval of the Board of Directors, [Principal Financial Group](#) was selected to serve as the investment provider for the Cal Poly Humboldt Sponsored Programs Foundation 403(b) DC Plan.

SPF Employees will be eligible to receive a 10% Employer Contribution on the first day of the calendar month following eligibility criteria being met (if eligibility is met on the 1st of the month, enrollment will be that same day):

- You attain age 21

- You complete 1 year of service with 1,000 hours in that year

Once you satisfy the eligibility requirements and enter the plan, you will continue to participate while you are still employed by SPF, even if you have a break in eligibility service (occurs when you do not work more than 500 hours) or have a reduction in time base.

SPF employees will not be eligible to participate in the retirement plan if they fall into one of the following categories:

- You are eligible to participate in a 401(k) or another 403(b) plan sponsored by Cal Poly Humboldt under which you can make employee contributions. (Category E – Stateside Employees)
- You are a student performing services for Cal Poly Humboldt Sponsored Programs Foundation and where you are pursuing a course of study with Cal Poly Humboldt. (Category C – Student Employees)

All other categories of SPF Employees will be eligible to participate in both the Elective Deferrals (voluntary) and/or receive the Employer Contributions.

The [Summary Plan Description \(SPD\)](#) is publicly available and accessible to all employees on our website. The Plan Document governs when any question arises regarding the Plan.

Principal Investigators should consider the factors of time base and duration of employee appointment. These factors will impact the project budget if not planned for carefully. The grant/contract pays this expense from their project budgets.

## **C. Campus Benefits**

### **1. Credit Union**

All SPF employees are eligible to apply for membership with [Compass Community Credit Union](#).

### **2. Student Recreation Center Facilities Privileges**

All SPF employees are eligible for staff privileges offered by the Student Recreation Center Fees for use of the facilities are listed on their [website](#).

### **3. I.D. Cards**

All SPF employees are eligible to acquire a campus staff I.D. card. Student employees have student I.D. cards. The I.D. request form is available on the Library's [website](#).

### **4. Library Privileges**



All SPF employees have access to the campus Library. Campus I.D. cards double as library cards.

**5. Campus Parking**

All SPF employees (except Category C - Student Employees) are eligible to purchase staff campus parking permits from the [cashiers](#). 'Non-Rep & MPP' rates apply. Student employees are eligible to purchase student parking permits.

**6. E-mail Access Privileges**

All SPF employees are required to set-up and monitor a (humboldt.edu) email account for payroll purposes. Only the campus issued email address will be used for all official communications from SPF.

**7. Direct Deposit**

All SPF employees may have their paychecks electronically direct deposited by completing an SPF direct deposit request form. This service must be opted into and typically takes up to three pay periods to go into effect.

**VI. STANDARDS OF CONDUCT**

**A. Attendance**

All SPF employees are expected to have regular attendance and to report to work in accordance with their established work schedules. Employees unable to report to work, or those who will be more than 30 minutes late, must notify the appropriate supervisor as far in advance as possible. Instances of 'No-show/No-Call' can result in disciplinary action.

**B. Safety**

SPF is committed to maintaining a safe and healthy work environment. Providing a positive work environment is to the benefit of all employees, as well as others who enter the workplace. Failure to maintain a safe and healthy work environment can result in disciplinary action.

Every employee is responsible for on-the-job safety. To achieve the goal of providing a safe workplace everyone must be safety conscious and immediately report an unsafe or hazardous condition to the appropriate supervisor.

**C. Dress**

Each employee is responsible for dressing in a manner that conforms to their job requirements and the applicable Occupational Safety and Health Administration (OSHA) requirements for their jobs.

Nothing in our dress code is intended or should be construed to violate, restrict or discriminate against any employee's race, sex, gender, gender identity, gender expression,

nursing mothers, or religious dress practices. If any employee believes that their protected rights based upon sex, gender, gender identity, gender expression, nursing mothers, or religious dress practices are being restricted or violated in some manner by the dress code, they should contact their supervisor or Human Resources so that these concerns can be addressed.

**D. Courtesy, Respect and Professionalism**

Each employee is responsible for conducting themselves in a professional manner and treating all others with respect, fairness and dignity.

**VII. CONFLICT RESOLUTION**

Depending on the nature of the problem or conflict, the following avenues are available to SPF employees for conflict resolution and problem solving.

1. Employees are encouraged to see their immediate supervisor with questions or problems relating to their jobs or feelings of well-being. It should be understood that the supervisor may need to get other resource people involved, depending on the problem.
2. Employees may also go directly to Human Resources for assistance. It is the policy of SPF that employees may discuss any problems or conflicts, without fear of reprisal, with any member of Human Resources who may assist in their resolution.
3. Should the problem involve discrimination, SPF's written Non-Discrimination Policy and Procedures should be utilized.

**VIII. MISCELLANEOUS POLICIES**

**A. Keys**

SPF employees must fill out an appropriate [online application form](#) to receive keys required for their jobs. Employees are required to turn in their job-related keys when they terminate employment with SPF.

**B. Separation Clearance**

Separating employees should complete the 'termination checklist' in KRONOS/UKG no later than their last day of employment. Employees are required to turn in all job-related materials such as ProCards, Travel Cards, and SPF/university owned equipment when they terminate employment with SPF. If continuing employment and/or enrollment through another business unit on campus, email access can remain active upon coordination with ITS.

**C. Traffic Violations**

SPF employees who commit traffic violations (moving or stationary) while on SPF business are responsible for the time and expense of any legal obligations with regard to those violations.

**D. Personal Telephone Calls**

Business telephones are for business use. No personal calls, except in emergency situations, can be made at SPF's expense. Personal long distance calls may not be charged to externally funded grants/contracts.

**E. Smoking**

Cal Poly Humboldt prohibits smoking in all campus buildings, including classrooms, lecture halls, laboratories, offices, work areas, meeting rooms, lobbies, hallways, stairwells, elevators, eating areas and restrooms. The policy prohibits the use of cigarettes, cigars, pipes and other smoke emitting products, including e-cigarettes and vapor devices.

**F. Child Care Center**

SPF employees are eligible to enroll their children in the Cal Poly Humboldt Child Care Center following the same priority guidelines that govern the University. Arrangements for enrollment should be made with the Child Care Center.

**G. Injury Reporting**

All on-the-job employee injuries must be immediately reported to the Human Resources Benefits Administrator. HR maintains reporting forms which must be provided to the injured employee within 24-hours of notice of injury. Injury reporting must be made as soon as possible.

**H. Power Outages & Campus Closure**

SPF follows the policy established by the University regarding treatment of campus employees during either planned or unplanned power outages. During these types of campus closures, SPF employees are not required to come into work unless otherwise directed by their appropriate supervisors. During these times, all exempt and non-exempt employees are considered on 'administrative leave' for the time specified and will be compensated for any scheduled work hours.

Employees who primarily work on the main University campus are allowed to work remotely/off-campus with their supervisor's approval. SPF encourages supervisors to work with their employees to determine if their work can be done remotely in these situations. Employees not working on the main campus should report to work as scheduled unless their work site is also affected by power outages. In those cases, these guidelines apply.

If a specific grant/contract disallows administrative leave from being charged to the grant, Principal Investigators may opt to charge their employee's time to an applicable discretionary SPF Trust account. PI's should confirm available budgeting options with their Post-Award Grant Analyst prior to approving/submitting payroll.

## **I. Trainings**

Every person working for SPF, whether staff, faculty, or student employee, is required to take a basic set of courses that are assigned based on their job position. For the most part, these courses have to be taken within the first 30 to 60 days of employment. Other courses are assigned by supervisors based on the job requirements. These may be required to be taken in the first week of employment. Visit <https://training.humboldt.edu/content/required-training> to view a list of the basic required courses. This list is for reference only and you may be required to take courses not listed here. Your specific courses will appear in the "Assigned Learning" section of [CSU Learn](#).