

**Property of  
Charles R. Drew University  
of Medicine and Science**



**Employee Handbook\***

**Effective August 12, 2010**

**(Revised August 1, 2024)**

**\*Excludes faculty-specific policies published by other entities**

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# A Message from the President

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Each of you makes a special contribution to Charles R. Drew University of Medicine and Science (CDU). We are an outstanding institution committed to creating a caring environment that is intellectually and culturally dynamic. One of the great advantages of working at CDU is knowing that we are part of something larger than our individual tasks. We touch the lives of many in support of CDU's mission. We serve as mentors, advisors, friends, and colleagues to students, alumni, faculty, staff, and our community. We model behaviors for our students to practice in their professional lives by embracing diversity in all of its dimensions, conducting business with integrity, believing in our mission, and treating all with dignity and respect.

This Handbook will familiarize you with the University's policies, facilities, and services. It is not intended to be a full statement of policies or benefits provided by the University. Please refer to it when you have questions. Employment contracts may supersede some of the provisions of this handbook. This handbook summarizes the policies and practices in effect at the time of publication and supersedes all previously issued handbooks and any policy or benefit statements or memoranda that are inconsistent with the policies described here.

If you have a question that is not answered by this Handbook, please ask your supervisor or contact Human Resources at [hrdept@cdrewu.edu](mailto:hrdept@cdrewu.edu). Charles R. Drew University of Medicine and Science values you and the contributions you make to the University. We want you to be proud to be a part of the University and to feel that you are making a difference in our University and in the community at large.

Once again, we are pleased to have you as a part of the CDU family!

David M. Carlisle, MD, PhD  
President and CEO  
Professor of Medicine and Public Health  
Charles R. Drew University of Medicine and Science

## 2024 Employee Handbook

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### **Purpose of this Handbook:**

The purpose of the Employee Handbook is to establish policies, procedures, benefits, and working conditions that will be followed by all Charles R. Drew University of Medicine and Science (the "University") employees as a condition of their employment.

This Handbook should be kept throughout your employment or until a new Handbook is provided. This Handbook can be changed by the University at any time but can only be changed in writing by the President or his or her designee. Regardless of the date of the hire. Employees are subject to any amendments, deletions, and changes to the Handbook.

## Scope

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This handbook applies to all employees of the University. Faculty should also refer to the Faculty Handbook and other resources located at [Faculty Resources | Charles R. Drew University of Medicine and Science \(cdrewu.edu\)](#) for faculty-specific concerns. Where the two conflict, this manual should be followed.

## Introduction to CDU Employee Handbook

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This Employee Handbook contains information about the employment policies and practices of Charles R. Drew University of Medicine and Science (referred to in this Employee Handbook as CDU or The Company). These policies reflect the University's values, and we expect each employee to read this Employee Handbook carefully as it is a valuable reference for helping each employee understand their job and their employment with CDU.

This Employee Handbook supersedes all previously issued Employee Handbooks. Except for the policy of at-will employment, CDU reserves the right to revise, delete, and add to the provisions of this Employee Handbook. All such revisions, deletions, or additions must be in writing. No oral statements or representations can change the provisions of this Employee Handbook.

This Employee Handbook is not a contract and does not constitute an express or implied contract guaranteeing continued employment for any employee. No manager or supervisor has any authority to enter into a contract of employment - express or implied - that changes or alters the at-will employment relationship. Only the President/CEO of CDU or their authorized representative has the authority to enter into an agreement that alters the at-will employment relationship and, any such agreement must be in writing and signed by the President/CEO of CDU or their authorized representative.

Not all of CDU's policies and procedures are outlined in this Employee Handbook. We have summarized only some of the more important ones. If an employee has any questions or concerns about this Employee Handbook or any other policy or procedure, they should ask their supervisor, a Human Resources representative, or another member of management.

Nothing in this Employee Handbook or in any other document or policy is intended to violate any local, state, or federal law. Nothing in this Employee Handbook is intended to limit any concerted activities by employees relating to their wages, hours, or working conditions, including the right to communicate with others concerning wages, hours, benefits, and other terms or conditions of employment; to self-organize, form, join or assist labor organizations; to bargain collectively through representatives of the employees' choosing; to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection; or to refrain from engaging in such activities, or any other conduct protected by Section 7 of the National Labor Relations Act (NLRA). Furthermore, nothing in this Employee Handbook prohibits an employee from reporting concerns, making lawful disclosures, or communicating

with any governmental authority about conduct the employee believes violates any laws or regulations.

## Our Vision, Mission, and Values

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### **VISION STATEMENT**

Excellent health and wellness for all in a world without health disparities.

### **MISSION STATEMENT**

Charles R. Drew University of Medicine and Science is a private, non-profit, student-centered University that is committed to cultivating diverse health professional leaders who are dedicated to social justice and health equity for underserved populations through outstanding education, research, clinical service, and community engagement.

### **VALUES**

**Community** - At CDU, community encompasses historically underserved, under-resourced, and underrepresented groups such as those in South Los Angeles and around the world that are impacted by health disparities. As a value, “community” is the binding spirit that inspires and drives our unique approach in preparing health professionals dedicated to social justice and health equity.

**Leadership** - At CDU, we hold ourselves accountable and define our collective and individual responsibility as a catalyst for change necessary to reduce and eliminate health disparities. As a value, “leadership” means we embrace our role as a pioneer in health education and research.

**Excellence** - At CDU, excellence is the highest quality performance in our operations, interactions, activities, and service to our community. Excellence invokes the desire to challenge and transcend the status quo. As a value, “excellence” represents the transformation we seek in ourselves and in our students, faculty, and staff.

**Diversity** - At CDU, diversity is defined by the multiple perspectives and ideas, plurality of cultures, variety of ethnicities, and differences in individuals within our communities. As a value, “diversity” represents a quintessential element of humanity and social justice for all.

**Integrity** - At CDU, integrity is the strength of character necessary to remain true to our values, even in the face of adversity. As a value, “integrity” is conducting trustworthy, ethical, and respectful education, research, clinical, and other services in our committed engagement with underserved communities.

**Compassion** - At CDU, compassion is empathy for the plights and predicaments of disadvantaged populations. As a value, “compassion” propels us to hear the voiceless, compels us to advocate for the oppressed, and obliges us to seek relief for the deprived.

## Contact Page

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| Contact  | Address   | Email                        | Telephone                 |
|--|---|------------------------------|---------------------------|
| Charles R. Drew<br>University of<br>Medicine and<br>Science        | 1731 E. 120th St, LA CA<br>90059                                      | cdrewu.edu                   | 323-563-4800              |
| David Carlisle, MD,<br>PhD President/CEO                           | 1731 E. 120th St, LA, CA<br>90059                                     | presidentofc@cdrewu.edu      | 323-563-<br>4987          |
| Angela Minniefield,<br>MPA, SVP<br>Advancement &<br>Operations/COO | 1731 E. 120 <sup>th</sup> St. LA, CA<br>90059                         | angelaminniefield@cdrewu.edu | 323-357-3669              |
| John Patton, Esq,<br>General Counsel                               | 1731 E. 120th St. LA, CA<br>90059                                     | johnpatton@cdrewu.edu        | 323-563-5928              |
| Charles Bugarin,<br>Benefits<br>Administrator                      | 1731 E. 120th St., LA CA<br>90059                                     | hrdept@cdrewu.edu            | 323-563-5827              |
| Employee<br>Assistance Program<br>(EAP)                            | resourcesforliving.com<br>Username: CDREWU<br>Password: EAP           |                              | 800-342-8111<br>/ TTY:711 |
| CDU Hotline  | <a href="https://app.convercent.com/">https://app.convercent.com/</a> |                              | 800-461-9330              |
| Human Resources<br>Department                                      | 1731 E. 120th St., LA, CA<br>90059                                    | hrdept@cdrewu.edu            | 323-563-5827              |
| Media Contact  | 1731 E. 120th St., Bldg. N,<br>LA CA 90059                            | advancement@cdrewu.edu       | 323-357-3669              |
| Campus Operator  | Cobb 1st Fl Information<br>Booth                                      |                              | 323-563-4918              |
| Security   | COBB 1st Fl Information<br>Booth                                      |                              | 323-563-4918              |

# At-Will Employment

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Employment with CDU is at will unless state law provides otherwise. This means that employment may be terminated for any or no reason, with or without cause or notice at any time by the employee or by the University.

## **At-Will Employment Statement (CA Labor Code 2922):**

Nothing in this Handbook creates or is intended to create a promise or representation of continued employment. With the exception of employees holding faculty appointments, all employees of Charles R. Drew University are employed on an "at will" basis. Employment at the University is employment at will and may be terminated at the will of either the University or the employee. An Employee has the right to terminate employment at any time, with or without cause or notice, and the University has a similar right. An employee's status as an at-will employee may not be changed except in writing and such writing must be signed by the President or his or her designee. Employment at will is the sole and entire agreement between the University and its employees concerning the duration of employment and the circumstances under which employment may be terminated. This Handbook shall supersede any and all prior handbooks, written documents, or oral representation (other than written employment agreements signed by a member of the Administrative Council of the University) concerning University policies and practices, issued by the University, that contradict the at-will nature of employment.

Refer to CDU 201.1 Work Status [CDREWU.edu Policies Procedures \(docs-cdrewu.cloud\)](https://docs-cdrewu.cloud)

# General Employment Practices

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## **Employment Eligibility and Work Authorization**

CDU is committed to employing only individuals who are authorized to work in the United States and who comply with applicable immigration and employment laws. As a condition of employment, every individual must provide satisfactory documentation of their identity and employment authorization to work in the United States within three business days after their first day of commencing employment. If the employee cannot verify their right to work in the United States within three business days after the first day of employment, the University will be required to terminate their employment immediately.

## **Romantic and Family Relationships at Work**

We will not take any adverse employment action against any employee for engaging in romantic relationships during nonworking hours away from the university premises. However, we will

consider such relationships when they affect an employee’s job performance, occur during working time, occur on University premises, or pose a potential conflict of interest.

A familial or intimate relationship among employees can create an actual, potential, or perceived conflict of interest in the employment setting, especially if one relative, spouse, partner, or member of such a relationship supervises another relative, spouse, partner, or member. To avoid this problem, we may refuse to hire or place a relative or other intimately associated individual in a position where the potential for favoritism or conflict exists.

If two employees marry, become related, or enter into an intimate relationship, they may not remain in a reporting relationship or in positions where one individual may affect the compensation or other terms or conditions of employment of the other individual. In other cases where a conflict or the potential for a conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or terminated from employment, at the discretion of CDU.

For this policy, a “relative” is any person who is related by blood or marriage or whose relationship with the employee is similar to that of persons who are related by blood or marriage (e.g., domestic partnership or civil union status).

Refer to CDU Policy 201.44 Related Persons [CDREWU.edu Policies Procedures \(docs-cdrewu.cloud\)](https://cdrewu.edu/Policies-Procedures/docs-cdrewu.cloud)

### **Personal Data Changes**

To better assist employees and/or their families in the event of personal emergencies, the University needs to maintain up-to-date contact information.

Maintaining accurate information in our files is also important for recordkeeping, payroll, and benefits-related purposes.

Changes in name, address, telephone number, marital status, number of dependents, next of kin, and/or beneficiaries should be given to Human Resources at [hrdept@cdrewu.edu](mailto:hrdept@cdrewu.edu) promptly.

### **Voluntary Open-Door Policy**

We recognize that employees may have suggestions for improving our work environment, as well as complaints about the work environment. Employees should feel free to contact their supervisor with any suggestions and/or complaints. If employees do not feel comfortable contacting their supervisor or are not satisfied with their supervisor's response, they should contact Human Resources at [hrdept@cdrewu.edu](mailto:hrdept@cdrewu.edu).

While we provide employees with this opportunity to communicate their views, please understand that not every complaint can be resolved to the employee's satisfaction. Even so, we

believe that open communication is essential to a successful work environment, and all employees should feel free to raise issues of concern without fear of reprisal.

Please note that some University policies, such as the Non-discrimination and Harassment in Employment-501 policy, contain specific reporting procedures that should be followed by employees seeking to report violations of those policies. Employees should utilize this policy for reports and ideas that are not addressed through the University's specific reporting procedures.

## Background and Reference Checks

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The University recognizes the importance of maintaining a safe, secure workplace with employees who are qualified, reliable, and nonviolent, and who do not present a risk of serious harm to their co-workers or others. To promote these concerns and interests, the University reserves the right to investigate an individual's prior employment history, personal references, and educational background, as well as other relevant information. Consistent with legal or contractual requirements, the University also reserves the right to obtain and review an applicant's or employee's criminal conviction record and related information, and to use such information when making employment decisions, but only to the extent permissible under applicable law.

A pending criminal matter may be considered in appropriate circumstances for business-related reasons, consistent with applicable law.

The University is an equal opportunity employer and will comply with applicable federal, state, and local laws relating to the use of background checks for employment purposes. All background checks will be conducted in strict conformity with the federal Fair Credit Reporting Act (FCRA), applicable state fair credit reporting laws, and state and federal antidiscrimination and privacy laws.

### **Reference Checks**

So that the University can handle requests for job references in a consistent, fair, and lawful manner, all requests for job references on behalf of the University should be forwarded to Human Resources. In response to job reference requests, CDU will only confirm current or former employees' date of employment and job title. If an employee or former employee submits written authorization, the University will also provide information regarding salary or wage history.

Refer to CDU Policies 201.11 Recruitment and Employment, 201.12.1 Employee Reference and Background Checks 201.14 Reference Checks & Employment Verification, & 201.16 Appointments

# Separation of Employment

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Employees of CDU are employed on an at-will basis. This means that employment may be terminated by either party at any time, with or without cause or notice. Nothing in this policy is intended to limit or alter the at-will nature of employment.

Employees may leave CDU for a variety of reasons. Regardless of the reason, we strive to ensure that all separations from employment are handled fairly, efficiently, and in compliance with applicable federal and state laws.

Reasons for termination include, but are not limited to, the following:

## **Voluntary**

A voluntary termination means an employee has decided to end the working relationship with CDU. Resignations include but are not limited to, written or verbal resignation, retirement (more fully discussed below), and job abandonment. An employee is considered to have abandoned their job if they fail to return to their job within 3 days and have not notified the University of their intention to resign.

Employees who voluntarily leave CDU are encouraged to provide their supervisor with a minimum of two weeks' notice, ideally in writing, to allow a reasonable amount of time to transfer ongoing work. Upon resignation, an employee must return all keys, uniforms, credit cards, or other University-issued property.

Employees in good standing who retire or resign from their positions may be eligible for rehire.

## **Retirement**

CDU has established retirement plans designed to provide certain benefits to eligible employees. Since the type and level of benefits vary according to the terms of each plan and are subject to modification, they are not specifically outlined in this Employee Handbook. Each plan is described in detail in a summary plan description, a copy of which is provided to each employee who is eligible to participate in the plan. Employees should contact Human Resources for additional information that will help to determine eligibility.

Nothing in this policy shall be deemed to modify any employee benefit plan or plans referred to herein or that may subsequently be established.

## **Involuntary**

An involuntary termination occurs when CDU decides to end the working relationship with an employee. Involuntary terminations may occur "for cause" or reasons "other than cause."

Involuntary terminations "for cause" include, but are not limited to, terminations for violating University policy, misuse or theft of resources, falsification of information, excessive absences/tardiness, or unsatisfactory work performance.

Involuntary terminations for reasons "other than cause" include, but are not limited to, a reduction in workforce.

### **Pay Upon Termination**

Final wages will be paid following California law.

Refer to CDU Policy 201.51 Terminations [CDREWU.edu Policies Procedures \(docs-cdrewu.cloud\)](https://cdrewu.edu/Policies/Procedures/docs-cdrewu.cloud)

## **Return of Company Property - California**

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Employees are required to return all University property (e.g., computers, vehicles, passwords, uniforms, ID badges, credit cards) that is in their possession or control in the event of termination of employment, resignation, retirement, or layoff or immediately upon the University's request. When allowed by law, and following applicable law, the University may withhold from the employee's paycheck the cost of any items that are not returned when required. No information belonging to the University may be copied for the employee's use. The University may also take all action deemed appropriate to recover or protect University property.

## **Exit Interviews**

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Before leaving CDU, employees may be asked to participate in a voluntary exit interview. This will provide closure to the employee's employment with CDU and will allow CDU to ensure that it has resolved various administrative matters, answered any questions about continuation of benefits, and listened to any of the employee's comments or ideas about improving the University's operations.

## **Employee Classifications**

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Employees of CDU are classified as either exempt or nonexempt under federal and state wage and hour laws and are further classified for administrative purposes. The following designations are used throughout this Employee Handbook.

Employees will be informed whether their status is exempt or nonexempt and should consult their supervisor or Human Resources with any questions or concerns regarding this status.

### **Exempt Employees**

Exempt employees are employees whose job assignments meet specific tests established by the federal Fair Labor Standards Act (FLSA) and California wage and hour laws and who are exempt from minimum wage and overtime pay requirements. Exempt employees are compensated on a salary basis.

### **Nonexempt Employees**

Nonexempt employees are employees whose job positions do not meet FLSA or applicable California exemption tests and who are *not* exempt from minimum wage and overtime pay requirements. Nonexempt employees are eligible to receive overtime pay for hours worked in excess of eight hours in any workday and 40 hours in a workweek.

### **Full-Time Employees**

Full-time employees are those who are normally scheduled to work and who work a schedule of 36-40 hours per week.

### **Part-Time Employees**

Part-time employees are those who are normally scheduled to work and who do work fewer than 20-35 hours per week. Part-time employees may be assigned a work schedule in advance or may work on an as-needed basis.

### **Temporary Employees**

Temporary employees are those who are employed for short-term assignments. Temporary employees are generally hired to temporarily supplement the workforce or assist in the completion of a specific project. These temporary employment assignments are of limited duration. Temporary employees are not eligible for employee benefits, except as required by applicable law, and may be classified as exempt or nonexempt based on job duties and compensation.

Refer to CDU Policy 201.1 Work Status [CDREWU.edu Policies Procedures \(docs-cdrewu.cloud\)](https://cdrewu.edu/Policies-Procedures/docs-cdrewu.cloud)

## Benefits Overview

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Benefit plans offered by CDU are defined in legal documents, such as insurance contracts and summary plan descriptions. If employees are offered benefits, and if a question arises about the nature and extent of plan benefits or if there is a conflict in language, the formal language of the plan documents governs, not the informal wording of this Handbook. Plan documents, if applicable, are available for employees' inspection. CDU and its designated benefit plan administrators reserve the right to determine eligibility, interpretation, and administration of issues related to benefits offered by CDU.

Employment benefits vary according to the position and status of the employee.

Full-time employees are eligible to receive all employment benefits offered by CDU. Part-time employees are eligible to receive all employment benefits offered by the University. Temporary employees are not entitled to any University benefits. To receive certain benefits, eligible employees may be required to meet participation requirements and pay required premiums and other contributions.

Employees should contact Human Resources or visit the Benefits portal on the Human Resources SharePoint site for detailed benefits information. [CDU Benefits \(sharepoint.com\)](#)

## Time Off and Leaves of Absence

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CDU recognizes that employees benefit from time away from work for a variety of reasons - all of which contribute towards a positive work-life balance for our employees. Therefore, CDU provides time off - both paid and unpaid - to eligible employees for the following situations:

- Holidays.
- Vacation.
- Sick Leave.
- Personal Leave.
- Family and Medical Leave.
- Military Leave.
- Jury and Witness Duty Leave.
- Time off for Voting
- Bereavement Leave.
- Volunteer Civil Service Personnel
- School and Child Care Activities Leave
- Organ and Bone Marrow Donor Leave
- Crime or Abuse Victims' Leave and Accommodation
- Other Leaves of Absence

Please visit the Benefits portal on the Human Resources SharePoint site for detailed information on time off and leave of absence. [CDU Benefits \(sharepoint.com\)](#)

## Day of Rest - California

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CDU provides employees with at least one day of rest in each seven-day period they work, unless the total hours worked do not exceed 30 hours during the workweek and six hours on any one day of the workweek. However, if the nature of employment reasonably requires an employee to work seven or more consecutive days, the employee may receive days of rest equivalent to one day's rest for every seven days on a monthly basis (e.g., four days of rest per calendar month).

Employees may also independently and voluntarily choose and confirm in writing not to take a day of rest. Employees wishing to do so should contact Human Resources.

The University will make reasonable efforts to accommodate an employee's request to observe a Sabbath or other religious holy day unless doing so would result in undue hardship to the conduct of University business. The University will also attempt to make other reasonable accommodations for the religious beliefs and practices of employees unless such accommodations would result in undue hardship.

Employees will be paid for all hours worked in compliance with federal, state, and local laws.

This policy does not apply in cases of emergency or to employees who perform work in the protection of life or property from loss or destruction.

## Family and Medical Leave

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

### **Employee Eligibility**

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

If employees are unsure whether they qualify for FMLA Leave, they should contact Human Resources.

### **Reasons for Leave**

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

only) and military caregiver leave (Fed-FMLA only). Additionally, CFRA coverage for an employee's own serious health condition that also constitutes a disability under California's Fair Employment and Housing Act (FEHA) is separate and distinct from FEHA protections.

If the employee cannot return to work at the expiration of the CFRA leave, the University will work with the employee to determine whether an extension of the leave would be a reasonable accommodation under the FEHA.

FMLA Leave may be used for the following reasons:

- The birth, adoption, or foster care of an employee's child within 12 months following the birth or placement of the child (Bonding Leave);
- To care for an immediate family member (spouse, child, parent, and, for CFRA leave only: registered domestic partner, child of a registered domestic partner, grandparent, grandchild, parent-in-law, sibling, or designated person) with a serious health condition (Family Care Leave);
- An employee's inability to work because of a serious health condition (Serious Health Condition Leave);
- A "qualifying exigency," as defined under the Fed-FMLA, arising from a spouse's, child's, or parent's "covered active duty" as a member of the military reserves, National Guard or Armed Forces or, as defined under the CFRA, relating to the covered active duty or call to covered active duty of an employee's spouse, domestic partner, child or parent in the Armed Forces of the United States (Qualifying Exigency Leave); or
- To care for a "covered servicemember" with a serious injury or illness as defined under the Fed-FMLA (Military Caregiver Leave). The employee must be the spouse, child, parent, or next of kin of the covered servicemember.

## Definitions

- **"Child,"** for purposes of Bonding Leave and Family Care Leave, means a biological, adopted or foster child; a stepchild; a legal ward; or a child of a person standing *in loco parentis*; a child of a domestic partner (CFRA-only), and, for Fed-FMLA only, who is either under age 18 or age 18 or older and incapable of self-care because of a mental or physical disability at the time that FMLA Leave is to commence. **"Child,"** for purposes of Qualifying Exigency Leave and Military Caregiver Leave, means a biological, adopted, or foster child; stepchild; legal ward; or a child for whom the person stood *in loco parentis*, and who is of any age.
- **"Parent,"** for purposes of this policy, means a biological, adoptive, step or foster parent, legal guardian, or any other individual who stood *in loco parentis* to the employee when the employee was a child. This term includes a parent-in-law for CFRA leave only. For Qualifying Exigency Leave taken to provide care to a parent of a deployed military member, the parent must be incapable of self-care as defined by the Fed-FMLA.
- **"Designated person,"** for purposes of this policy means any individual related by blood or whose association with the employee is the equivalent of a family relationship. Employees may identify a designated person at the time they request CFRA leave. **[OPTIONAL: Employees are limited to one designated person per 12-month period.]**

- **"Spouse"** means the other person with whom an individual entered into marriage as defined or recognized under state law in the state in which the marriage was entered into or, in the case of a marriage entered into outside of any state, if the marriage is valid in the place where entered into and could have been entered into in at least one state. This definition includes an individual in a same-sex or common law marriage that either (1) was entered into in a state that recognizes such marriages; or (2) if entered into outside of any state, is valid in the place where entered into and could have been entered into in at least one state. For purposes of CFRA leave, a spouse includes a registered domestic partner.
- **"Sibling"** means, for purposes of CFRA leave, a person related to another person by blood, adoption, or affinity through a common legal or biological parent.
- **"Key employee"** means, for purposes of Fed-FMLA leave, a salaried Fed-FMLA-eligible employee who is among the highest paid 10 percent of all the employees employed by the employer within 75 miles of the employee's worksite at the time of the Fed-FMLA leave request.
- **"Serious health condition"** means an illness, injury, impairment, or physical or mental condition that involves either:
  - Inpatient care (including, but not limited to, substance abuse treatment) in a hospital, hospice, or residential medical care facility, including any period of incapacity (that is, inability to work, attend school, or perform other regular daily activities) or any subsequent treatment in connection with this inpatient care; or
  - Continuing treatment (including, but not limited to, substance abuse treatment) by a health care provider that includes one or more of the following:
    - A period of incapacity (that is, inability to work, attend school, or perform other regular daily activities due to a serious health condition, its treatment, or the recovery that it requires) of more than three consecutive calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves treatment two or more times via an in-person visit to a health care provider, or at least one visit to a health care provider that results in a regimen of continuing treatment under the supervision of the health care provider.
    - Any period of incapacity due to pregnancy or prenatal care (under the Fed-FMLA, but not the CFRA).
    - Any period of incapacity or treatment for incapacity due to a chronic serious health condition that requires periodic visits to a health care provider continues over an extended period of time and may cause episodic incapacity.
    - A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective, such as Alzheimer's, a severe stroke, and the terminal stages of a disease.
    - Any period of absence to receive multiple treatments (including any period of recovery) by a health care provider either for (a) restorative surgery after an accident or other injury; or (b) a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment.

- **"Covered active duty"** means (1) in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and (2) in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty (or notification of an impending call or order to active duty) in support of a contingency operation as defined by applicable law.
- **"Covered servicemember"** means (1) a member of the Armed Forces, including a member of a reserve component of the Armed Forces, who is undergoing medical treatment, recuperation or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list, for a serious injury or illness incurred or aggravated in the line of duty while on active duty that may render the individual medically unfit to perform their military duties; or (2) a person who, during the five years prior to the treatment necessitating the leave, served in the active military, Naval or Air Service, and who was discharged or released under conditions other than dishonorable (a "veteran" as defined by the Department of Veteran Affairs), and who has a qualifying injury or illness incurred or aggravated in the line of duty while on active duty that manifested itself before or after the member became a veteran. For purposes of determining the five-year period for covered veteran status, the period between October 28, 2009, and March 8, 2013, is excluded.
- **"Serious injury or illness"** in the case of a current member of the Armed Forces, National Guard, or Reserves is an injury or illness incurred by a covered servicemember in the line of duty on active duty (or that preexisted the member's active duty and was aggravated by service in the line of duty on active duty) in the Armed Forces that may render them medically unfit to perform the duties of their office, grade, rank or rating. In the case of a covered veteran, "serious injury or illness" means an injury or illness that was incurred in the line of duty on active duty (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty) and that manifested itself before or after the member became a veteran.
- **"Qualifying exigency"** for the Fed-FMLA is defined by the Department of Labor and for the CFRA is defined by the California Unemployment Insurance Code and generally includes events related to short-notice deployment, military ceremonies, support and assistance programs, changes in childcare, school activities, financial and legal arrangements, counseling and post-deployment activities. Qualifying Exigency Leave may also be used to spend up to 15 days with military members who are on short-term, temporary, rest and recuperation leave during their period of deployment.

## **Length of Leave**

If the reason for leave is common to both the Fed-FMLA and CFRA and, therefore, running concurrently, the maximum amount of FMLA Leave is 12 workweeks in any 12-month period. If the reason for leave is not common to both the Fed-FMLA and CFRA and, therefore, not running concurrently, then an eligible employee may be entitled to additional leave under applicable law.

The applicable "12-month period" utilized by the University is at least 12 months of employment with the University and who have worked at least 1,250 hours in the last 12 months. Additional

qualifications under federal or state law may apply. Under this method, the 12 months is measured from the date the employee first uses any FMLA Leave.

The maximum amount of Fed-FMLA leave for an employee wishing to take Military Caregiver Leave is a combined leave total of 26 workweeks in a single 12-month period. A "single 12-month period" begins on the date of the employee's first use of such leave and ends 12 months after that date.

If both spouses work for the University and are eligible for leave under this policy, under the Fed-FMLA, the spouses will be limited to a total of 26 workweeks off between the two when the leave is for Military Caregiver Leave only or is for a combination of Military Caregiver Leave, Bonding Leave and/or Family Care Leave taken to care for a parent. The spouses will also be limited under the Fed-FMLA to a total of 12 workweeks off between the two of them when the leave is for Bonding Leave or to care for a parent using Family Care Leave.

When CFRA leave is for the birth or placement of a child and both parents work for the University, they will each be allowed up to 12 weeks of CFRA leave within 12 months of the child's birth or placement.

To the extent required by law, leave beyond an employee's FMLA Leave entitlement may be granted when the leave is necessitated by an employee's work-related injury or illness, a pregnancy-related disability, or a "disability" as defined under the Americans with Disabilities Act (ADA) and/or applicable state or local law. Certain restrictions on these benefits may apply.

### **Intermittent or Reduced Schedule Leave**

Under some circumstances, employees may take FMLA Leave intermittently, which means taking leave in blocks of time or reducing the employee's normal weekly or daily work schedule. An employee may take leave intermittently or on a reduced schedule whenever it is medically necessary to care for the employee's child, parent, or spouse with a serious health condition or because the employee has a serious health condition. The medical necessity of the leave must be determined by the health care provider of the person with the serious health condition.

Intermittent or reduced schedule leave may also be taken for absences where the employee or an employee's family member is incapacitated or unable to perform the essential functions of the job because of a chronic serious health condition, even if the person does not receive treatment by a health care provider. Leave due to military exigencies may also be taken on an intermittent basis.

Leave taken intermittently may be taken in increments of no less than two hours. Employees who take leave intermittently or on a reduced work schedule basis for planned medical treatment must make a reasonable effort to schedule the leave so as not to unduly disrupt the University's operations. Please contact Human Resources prior to scheduling medical treatment. If FMLA Leave is taken intermittently or on a reduced schedule basis due to planned medical treatment, we may require employees to transfer temporarily to an available alternative position with an

equivalent pay rate and benefits, including a part-time position, to better accommodate recurring periods of leave.

If an employee using intermittent leave or working a reduced schedule finds it physically impossible to start or stop work midway through a shift in order to take CFRA leave and is, therefore, forced to be absent for the entire shift, the entire period will be counted against the employee's CFRA entitlement. However, if there are other aspects of work that the employee is able to perform that are not physically impossible, then the employee will be permitted to return to work, thereby reducing the amount of time to be charged to the employee's CFRA entitlement.

If employees have been approved for intermittent leave and they request leave time that is unforeseeable, they must specifically reference either the qualifying reason for leave or the need for FMLA Leave at the time they call off.

## **Notice and Certification**

### ***Bonding, Family Care, Serious Health Condition and Military Caregiver Leave Requirements***

Employees are required to provide:

- When the need for the leave is foreseeable, 30 days' advance notice or such notice as is both possible and practical if the leave must begin in fewer than 30 days (normally this would be the same day the employee becomes aware of the need for leave or the next business day);
- When the need for leave is not foreseeable, notice within the time prescribed by the University's normal absence reporting policy, unless unusual circumstances prevent compliance, in which case notice is required as soon as is otherwise possible and practical.
- When the leave relates to medical issues, a completed Certification of Health Care Provider form within 15 calendar days (for Military Caregiver Leave, an invitational travel order or invitational travel authorization may be submitted in lieu of a Certification of Health Care Provider form).
- Periodic recertification (as allowed by law).
- Periodic reports during the leave.

In addition to other notice provisions, employees requesting leave for CFRA-qualifying reasons must respond to any questions designed to determine whether an absence is potentially qualifying for leave under this policy. Failure to respond to permissible inquiries regarding the leave request may result in the denial of CFRA protections. Similarly, an employee or the employee's spokesperson may be required to provide additional information needed to determine whether a requested leave qualifies for Fed-FMLA protections. An employee's failure to adequately explain the reason for the leave may result in the denial of Fed-FMLA protections.

Certification forms are available from Human Resources. At the University's expense, we may require a second or third medical opinion regarding the employee's own serious health condition or the serious health condition of an employee's family member for Fed-FMLA purposes and, for

CFRA purposes, the employee's own serious health condition. In limited cases, we may require a second or third opinion regarding the injury or illness of a Covered Servicemember. Employees are expected to cooperate with the University in obtaining additional medical opinions that we may require.

When leave is for planned medical treatment, employees must try to schedule treatment so as not to unduly disrupt the University's operation. Please contact Human Resources prior to scheduling planned medical treatment.

If an employee does not provide the certification as requested, the FMLA Leave will not be protected.

### ***Recertification After Grant of Leave***

In addition to the requirements listed above, if an employee's Fed-FMLA leave is certified, the University may later require medical recertification in connection with an absence that the employee reports as qualifying for Fed-FMLA leave. For example, the University may request recertification if (1) the employee requests an extension of leave; (2) the circumstances of the employee's condition as described by the previous certification change significantly (e.g., the employee's absences deviate from the duration or frequency outlined in the previous certification; the employee's condition becomes more severe than indicated in the original certification; the employee encounters complications); or (3) the University receives information that casts doubt upon the employee's stated reason for the absence. In addition, the University may request recertification in connection with an absence after six months have passed since the employee's original certification, regardless of the estimated duration of the serious health condition necessitating the need for leave. Any recertification requested by the University will be at the employee's expense.

In addition to the requirement listed above, a recertification under the CFRA may only be requested at the expiration of the time period in the original certification for time off for the employee's own serious health condition.

If an employee does not produce the recertification as requested, the leave will not be FMLA-protected.

### ***Qualifying Exigency Leave Requirements***

Employees are required to provide:

- As much advance notice as is reasonable and practicable under the circumstances.
- A copy of the covered servicemember's active duty orders when the employee requests leave and/or documentation (such as Rest and Recuperation leave orders) issued by the military setting forth the dates of the servicemember's leave.
- A completed Certification of Qualifying Exigency form within 15 calendar days, unless unusual circumstances exist to justify providing the form at a later date.

Certification forms are available from Human Resources.

### ***Failure to Provide Notice or Certification and to Return from Leave***

Absent unusual circumstances, failure to comply with these notice and certification requirements may result in a delay or denial of the leave. If an employee fails to return to work at the leave's expiration and has not obtained an extension of the leave, the University may presume that the employee does not plan to return to work and has voluntarily terminated their employment.

### **Compensation During Leave**

Generally, FMLA Leave is unpaid. However, employees may be eligible to receive benefits through state-sponsored programs or the University's sponsored wage-replacement benefit programs. Employees may also choose to use accrued vacation and sick leave, to the extent permitted by law and the University's policy. If employees elect to have wage-replacement benefits and accrued paid leave integrated, the integration will be arranged such that employees will receive no greater compensation than their regular compensation during this period. The University may require employees to use accrued vacation to cover some or all of a Fed-FMLA leave. However, the University will only require employees to use accrued vacation or other accrued time off for CFRA leave if it is otherwise unpaid. The CFRA leave is not unpaid if the employee is receiving state disability insurance, short- or long-term disability payments pursuant to an employer-provided plan, or is receiving Paid Family Leave through the state. The use of paid benefits will not extend the length of FMLA Leave.

### **Benefits During Leave**

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

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

### **Job Reinstatement**

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

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

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

### **Confidentiality**

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

### **Fraudulent Use of FMLA Leave Prohibited**

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

### **Nondiscrimination**

The University takes its FMLA Leave obligations very seriously and will not interfere with, restrain, or deny the exercise of any rights provided by the Fed-FMLA or the CFRA. We will not terminate or discriminate against any individual for opposing any practice or because of involvement in any proceeding related to the Fed-FMLA or CFRA. If an employee believes that

their Fed-FMLA or CFRA rights have been violated in any way, the employee should immediately report the matter to Human Resources.

### **Additional Documentation**

A Notice to Employees of Rights Under FMLA (WHD Publication 1420) is attached to this Handbook and provides additional details regarding employees' rights and responsibilities under the Fed-FMLA.

Employees should contact Human Resources for any Fed-FMLA or CFRA questions they may have. Employees can also refer to the CDU Time-Off Benefits Guide for additional details.

## **Disability and Accommodation**

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

Any employee who requires an accommodation in order to perform the essential functions of their job, enjoy an equal employment opportunity and/or obtain equal job benefits should contact Human Resources to request such an accommodation. Human Resources will communicate with the employee and engage in an interactive process to determine the nature of the issue and what, if any, reasonable accommodation may be appropriate. In some cases, this interactive process may be triggered without a request from the employee, such as when the University receives notice from its own observation or another source that a medical impairment may be impacting the employee's ability to perform their essential job functions.

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

Employees who wish to request unpaid time away from work because of a qualifying disability should speak to Human Resources regarding a proposed accommodation. The University will not retaliate or otherwise discriminate against an employee or applicant who requests an accommodation in accordance with this policy.

## Religious Accommodation

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

The University has developed an accommodation process to assist employees, management, and Human Resources. Through this process, the University establishes a system of open communication between employees and the University to discuss conflicts between religion and work and to take action to provide reasonable accommodation for employees' needs.

Any employee who perceives a conflict between job requirements and a religious belief, observance, or practice should bring the conflict and their request for accommodation to the attention of Human Resources to initiate the accommodation process. The University asks that accommodation requests be made in writing, and in the case of schedule adjustments, as far in advance as possible.

CDU will not retaliate or otherwise discriminate against an employee or applicant because they request an accommodation in accordance with this policy.

## Lactation Accommodation

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The University will provide employees with a reasonable amount of break time to express breast milk for one year after the child's birth and as often as the employee needs to do so.

Employees needing breaks for lactation purposes may use ordinary paid rest breaks or may take other reasonable break times when needed. If possible, the lactation break time should run concurrently with scheduled meal and rest breaks already provided to the employee. If the lactation break time cannot run concurrently with meal and rest breaks already provided or additional time is needed, the lactation break time will be unpaid for nonexempt employees.

Employees will be relieved of all work-related duties during any unpaid break. When unpaid breaks or additional time are required, employees should work with their supervisor regarding scheduling and reporting the extra break time.

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

For lactation breaks, the University will provide employees with the use of a room or other location to express milk in private, other than a bathroom or toilet stall, that is shielded from view and free from intrusion from co-workers and the public. The University will make a

reasonable effort to identify a location within close proximity to the work area for the employee to express milk. This location may be the employee's private office, if applicable.

The University will otherwise treat lactation as a medical condition and address lactation-related needs in the same manner that it addresses other non-incapacitating medical conditions, including requested time off for medical appointments, requested changes in schedules, and other requested accommodations.

Employees should discuss with Human Resources the location for storage of expressed milk. In addition, employees should contact Human Resources before their return to work following the birth of a child to identify the need for a lactation area.

Employees who believe they have not been provided lactation break time and the use of a room or private area in accordance with this policy and federal law should immediately notify Human Resources. The University will not retaliate or discriminate against an employee because they file a complaint or institute any proceeding under or related to the federal Fair Labor Standards Act, testify in any such proceeding, or serve on an industry committee.

For employees working in a jurisdiction that has an applicable state or local mandatory lactation accommodation law, the University will comply with all legal requirements, including providing greater break time and space accommodations than those described in this policy.

Refer to CDU Policy 201.48 Lactation Accommodation policy.

## Workers' Compensation

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When work-related accidents, injuries, or illnesses occur, employees may be eligible for workers' compensation insurance benefits. CDU provides a comprehensive workers' compensation insurance program at no cost to employees and in accordance with applicable state law. This program covers most injuries or illnesses, sustained in the course of employment, that require medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits or, if the employee is hospitalized, treatment immediately.

### **Reporting Work-Related Injury or Illness**

Employees who sustain a work-related injury or illness should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it must be reported immediately. This will enable an eligible employee to qualify for coverage.

### **Leaves of Absence/Accommodation**

Employees who need to take time off from work due to a workers' compensation illness or injury may also be eligible for a leave of absence under the University's leaves of absence or reasonable

accommodation policies. Employees should consult Human Resources for additional information.

## **Return to Work**

Employees who are ready to return to work following a workers' compensation-related leave of absence must supply a certification from a health care provider confirming the employee's ability to return to work.

## **Fraud**

CDU will notify the workers' compensation insurance University if we have reason to believe an employee has supplied false or misleading information in connection with a claim and/or has filed a fraudulent claim. Workers' compensation fraud is a crime and may also be grounds for disciplinary action, up to and including termination of employment.

## Work-Related Injuries or Illnesses

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An employee who sustains a work-related injury or illness should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it must be reported immediately.

Employees who sustain work-related injuries may receive workers' compensation benefits outlined in the University's Workers' Compensation Insurance policy. Employees who need to take time off from work due to a workers' compensation illness or injury may also be eligible for a leave of absence under the University's leaves of absence or reasonable accommodation policies. Employees should contact Human Resources for additional information.

## Privacy

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Employees should limit the collection, use, disclosure, and storage of any individual's personal information to only the extent it is reasonably necessary to carry out their job duties or for a legally required purpose. Applicable federal and state laws, as well as University policy, shall be complied with in the collection, use, disclosure, and storage of information. This includes information that may be disclosed pursuant to an investigation, pursuant to a lawsuit, subpoena, or other lawful order, as well as to protect the safety and well-being of an individual or the campus community, as permitted by law.

The University may exercise its reasonable discretion and review records (electronic or otherwise) to perform necessary University operations such as audits, investigations, or to protect the health and safety of an individual or the campus community. Such investigations are conducted with oversight by senior University personnel. The University may access the information directly or grant access to a third-party service provider on its behalf. Therefore, the University does not create a reasonable expectation of privacy with persons utilizing its

information resources, such as computers, phones, servers, etc. This includes mobile laptops, phones, or other electronic devices distributed by the University to personnel.

Employees are expected to comply with the University's data and information security policies, which may require the use of passwords, encryption, and virtual private networks (VPNs) or other measures to protect the integrity and security of information. Refer to CDU Policies:

Refer to CDU Policy 300.1 Acceptable Use Policy [CDREWU.edu Policies Procedures \(docs-cdrewu.cloud\)](https://cdrewu.edu/docs-cdrewu.cloud)

Refer to CDU Policy 201.9 Privacy and Confidentiality [CDREWU.edu Policies Procedures \(docs-cdrewu.cloud\)](https://cdrewu.edu/docs-cdrewu.cloud)

Refer to CDU Policy 300.3 Information Security Policy [CDREWU.edu Policies Procedures \(docs-cdrewu.cloud\)](https://cdrewu.edu/docs-cdrewu.cloud)

## **Student Records**

The Family Educational Rights and Privacy Act (FERPA) protects the privacy of student education records and applies to the University as a recipient of federal funding. FERPA gives eligible students (or parents of minors) control over their educational records and prohibits the impermissible disclosure of personally identifiable information without the written consent of the eligible student. See the current University Catalog for FERPA applicability and guidance. Questions regarding information privacy or security may be addressed to Human Resources, the University Chief Information Officer, the University Compliance Officer, or the Research Compliance Officer.

## **Health Information**

The Health Information Portability and Accountability Act of 1996 (HIPAA) and the California Medical Confidentiality Act (CMCA) protect sensitive health information from impermissible disclosure without a patient or client's consent or knowledge. Employees or those acting on the University's behalf shall only access an individual's personal health information in instances and to the extent necessary to carry out their job duties. Employees are expected to read and follow the University's HIPAA and related privacy policies in performing their job functions.

As a robust research institution, the University also expects its employees to comply with the Federal Policy for the Protection of Human Subjects. This law protects the privacy and confidentiality of information for participants in health research. The University's Institutional Research Board maintains applicable policies on research privacy.

Questions regarding information privacy or security may be addressed to Human Resources, the University Chief Information Officer, or the University Compliance Officer.

## University's Right to Search

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CDU wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other improper materials. To this end, CDU prohibits the control, possession, transfer, sale, or use of such materials on its premises to the extent permitted by applicable law. We require the cooperation of all employees in administering this policy.

Desks, lockers, and other storage devices are provided for the convenience of employees, but remain the sole property of CDU. Employees have no reasonable expectation of privacy for items placed therein. Accordingly, desks, lockers, and other storage devices, as well as any articles found within them, can be inspected by any agent or representative of CDU at any time, upon reasonable suspicion, either with or without prior notice.

As an employer, the University is charged with the duty to protect employees and others from injuries at the hands of employees who pose a known risk of bodily harm to others. Accordingly, to ensure the safety and security of those individuals, and to protect our legitimate business interests, we reserve the right to, upon reasonable suspicion, question and inspect or search any employee or other individual entering or leaving University premises or job sites. The inspection or search may include any packages or items that the individual may be carrying, including briefcases, handbags, backpacks, and shopping bags. Any non-exempt employee present during any search or inspection must report the time spent during the search or inspection as working time.

These items are subject to inspection and search, upon reasonable suspicion, at any time, with or without prior notice. Employees may be required to consent to reasonable inspection of their personal property and/or person while on duty or on the University's premises. Any inspection of an individual's person will be limited to a self-inspection, whereby they will be requested to self-inspect their personal property or person by displaying the contents of any packages and/or turning out their pockets, etc., in the presence of a representative of the University, typically a management employee of the same sex or gender.

Refer to CDU Policy 201.9 Privacy and Confidentiality [CDREWU.edu Policies Procedures \(docs-cdrewu.cloud\)](https://cdrewu.edu/policies-procedures/docs-cdrewu.cloud)

## Access to Personnel Files

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Employees can access their own personnel file at least two times each calendar year at reasonable intervals. An employee's request to access their personnel file must be in writing. Current employees will be permitted to inspect, and if requested, copy their personnel files within seven business days after the University receives their written request. If the University is unable to provide access to the personnel file within seven working days, the University will do so within the next seven working days. Employees subject to recall after layoff or on a leave of absence with a right to return to work and former employees whose employment ended during the previous year may also request to inspect their personnel file.

Inspection can take place during regular business hours at a location at, or reasonably near, the employee's place of employment, or, if an employee submits a written request, the University will provide a copy of the file by sending it to the email address or mailing address identified by the employee for receipt. Employees who request and receive a copy or partial copy of their personnel file may be required to pay the cost of duplication.

Employees who are involved in a current grievance against the University may designate, in writing, a representative to inspect their personnel file.

Personnel file documents do not include letters of reference, materials that are used by the University to plan for future operations, information contained in separately maintained security files, test information, the disclosure of which would invalidate the test, certain personal information about people other than the employee, or documents which are being developed or prepared for use in civil, criminal or grievance procedures.

If an employee disagrees with any of the information contained in their personnel file or medical records, the employee may request that the University remove or correct such information. If the employee and the University cannot agree upon such removal or correction, the employee may submit a written statement explaining their position. The employee's written statement will be maintained as part of their personnel file or medical records and will accompany any transmittal or disclosure from such file or records made to a third party.

Refer to CDU Policy 201.9 Privacy and Confidentiality [CDREWU.edu Policies Procedures \(docs-cdrewu.cloud\)](https://cdrewu.edu/docs-cdrewu.cloud)

## Employees' Guests and Visitors

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Restricting access to University premises helps maintain safety standards, protect against theft, ensure security of equipment, protect confidential information, safeguard employee welfare, and avoid potential distractions and disturbances. For this reason, only authorized visitors are allowed in the workplace, and all authorized visitors, including friends, family, and former associates, must register with Campus Safety at the Information Booth located in the COBB lobby. All visitors must be escorted at all times by the employee that the visitor is visiting.

Employees being visited are responsible for the actions of their guest(s). Should a guest of an employee act in such a manner that disrupts the normal working conditions of CDU or threatens the security of CDU and/or its employees, the employee accompanying the guest may be held responsible for the guest's actions and subject to disciplinary action, up to and including termination of employment.

CDU reserves the right to verify the contents of packages and briefcases brought onto University premises by visitors.

If an employee suspects or becomes aware of any unusual situation, they should immediately notify Campus Safety and/or Human Resources.

## Housekeeping

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All employees are expected to keep their work areas clean and organized. Employees using common areas such as lunchrooms and restrooms are expected to keep them sanitary. Please clean up after meals and dispose of trash properly.

## Parking

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The University provides free parking for employees at the University's parking structure and parking lot located at 1730 E. 118th Street, Los Angeles, CA 90059.

Parking is at the owner's risk and the University is not held liable for any theft or damage to vehicles in the parking lots.

### **Parking Hours**

The parking lot opens at 5:30 a.m. and closes at 9:00 p.m. daily and is closed during all University holidays.

- Parking is available for all faculty, staff, and students in the 118th Street parking lot.
- Permit Parking only.
- Obtain parking permits from the information booth in the Cobb lobby.
- Parking is NOT permitted on the 120th Street parking lot.
- Overnight parking is not permitted.
- Parking is first come, first serve
- Reserving parking spaces is reserved for senior management

## Charging Stations

CDU has 18 charging stations in the open lot on 118th Street.

## Remote Work Policy / Telecommuting

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Remote work is a voluntary work alternative that is appropriate for some employees and some jobs but not all employees and all positions. No CDU employee is entitled to or guaranteed the opportunity to work remotely.

Remote work is a decision made on a case-by-case basis, by the Executive Team member, taking into consideration an evaluation of the likelihood of the employee succeeding in a remote work arrangement and an evaluation of the supervisor's ability to manage remote workers. Remote work arrangements most commonly are for partial remote work, (hybrid work arrangement), for example, two days per week.

Employees approved for a remote work agreement perform essentially the same work that they would in the central workplace under the same performance expectations and other agreed-upon terms. Remote work agreements may be established for an ongoing or short-term period.

An employee's classification, compensation, and benefits will not change if the employee is approved for remote work.

CDU may establish remote work as a condition of employment, based on the University's business needs. It is recommended this requirement be included when the position is advertised and should be in correspondence offering employment.

Refer to CDU Policy Remote Work Policy 201.55

## Drug and Alcohol

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### **Drug-Free Workplace**

CDU strives to provide a safe environment for employees and others and to minimize the risk of accidents and injuries. Accordingly, each employee has a responsibility to co-workers and the public to deliver services in a safe and conscientious manner. Continuing research and practical experience have proven that even limited quantities of illegal drugs, abused prescription drugs or alcohol can impair reflexes and judgment. This impairment, even when not readily apparent, can have catastrophic consequences. Moreover, studies have shown that impairment by controlled substances may last long after the user believes the effects have worn off. For these reasons, CDU has adopted a policy that all employees must report to work and, while at work, remain completely free of illegal drugs, abused or non-prescribed prescription drugs, and alcohol.

### **Drug Use/Distribution/Possession/Impairment**

CDU strictly prohibits the use, sale, attempted sale, conveyance, distribution, manufacture, purchase, attempted purchase, possession, cultivation and/or transfer of illegal drugs or other unlawful intoxicants at any time, and in any amount or any manner, regardless of occasion. "Illegal drugs" means all drugs whose use or possession is regulated or prohibited by federal, state, or local law. This includes prescription medication that is used in a manner inconsistent with the prescription or for which the individual does not have a valid prescription. To the extent permitted by state and local law, this policy also prohibits the use of marijuana and marijuana products. CDU will endeavor to accommodate individuals with disabilities but will not accommodate the use of medical marijuana at work or excuse policy violations related to medical marijuana.

Employees are also prohibited from having any such illegal or unauthorized controlled substances in their system while at work.

Included within this prohibition are lawful controlled substances that have been illegally or improperly obtained.

### **Alcohol Use/Distribution/Possession/Impairment**

All employees are prohibited from distributing, dispensing, possessing, or using any beverage or medicine containing alcohol while at work or on duty and from coming onto University premises, reporting to work, or working with alcohol in their systems. Furthermore, lawful off-duty alcohol use, while generally not prohibited by this policy, must not interfere with an employee's job performance.

### **Prescription and Over-the-Counter Drugs**

This policy does not prohibit the possession and proper use of lawfully prescribed or over-the-counter drugs. However, an employee taking medication should consult with a health care professional or review dosing directions for information about the medication's effect on the employee's ability to work safely, and promptly disclose any work restrictions to a supervisor or Human Resources at [hrdept@cdrewu.edu](mailto:hrdept@cdrewu.edu). Employees are not required to reveal the name of the medication or the underlying medical condition.

CDU reserves the right to transfer, reassign, place on leave of absence, or take other appropriate action regarding any employee during the time the employee uses medication that may affect their ability to perform safely. The University will comply with all requirements pertaining to providing reasonable accommodations to the extent required by applicable law.

The University's general prohibition against the possession or use of marijuana at work applies, regardless of whether an employee is certified to use marijuana for medical reasons under state law. Unless otherwise required by law, CDU will not accommodate the use or possession of marijuana by individuals who are medically authorized to use marijuana as a matter of state law but will offer such individuals alternative accommodations related to any underlying disability. If you have any questions concerning the University's position concerning medical marijuana in a particular location, please contact Human Resources.

### **Counseling and Rehabilitation**

Employees who voluntarily seek help for substance abuse (self-referral) by contacting CDU will be provided an opportunity to pursue counseling and rehabilitation. CDU will make available to these employees information about counseling and rehabilitation services. An employee who is receiving counseling and/or treatment for substance abuse may use available vacation time, sick leave, or, if eligible, family and medical leave. Health insurance often covers the costs of such services, but costs not covered must be paid by the employee.

The employee may not return to work until they are released by a treatment provider to do so and receive a negative result on a return-to-work drug and/or alcohol test (as appropriate for that individual). In addition, the employee may be asked to submit to follow-up testing for a period following their return to work.

An employee's decision to seek help voluntarily will not be used as a basis for disciplinary action, although the individual may be transferred, given work restrictions, or placed on leave, as appropriate. A request for help is considered voluntary only if it is made before the employee is asked to submit to any drug or alcohol test or is discovered to have otherwise violated this policy.

## Smoke and Tobacco-Free Campus

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CDU provides a smoke-free work environment. Smoking is strictly prohibited inside the building and covered parking lots. For purposes of this policy, smoking includes the use of electronic smoking devices, such as electronic cigarettes, cigars, pipes, or hookahs, that create an aerosol or vapor. Employees who observe other individuals smoking in the workplace have a right to object and should report the violation to their supervisor or another member of management. Employees will not be disciplined or retaliated against for reporting smoking that violates this policy.

Employees who violate this policy or who tamper with No Smoking signs may be subject to disciplinary action, up to and including termination.

## Electronic and Social Media

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CDU respects the legal rights of its employees and understands that employees' time outside of work is their own. However, employees should be mindful that their social media activity, even if done off-premises and while off-duty, could affect the University's legitimate business interests. For example, the information posted could be the University's confidential business information. In addition, some readers may mistakenly view an employee as a spokesperson for the University. Consequently, social media activity is a legitimate and proper focus of University policy.

For purposes of this policy, "social media activity" includes all types of posts and other communications on the internet, including, but not limited to, posts on social networking sites, such as Facebook, LinkedIn, Instagram, Pinterest, and X (formerly known as Twitter); blogs and other online journals and diaries; bulletin boards, chat rooms and forums; microblogging, such as X, Instagram, Slack or Trello; and postings of video or audio on media-sharing sites, such as YouTube, Instagram, TikTok, Snapchat or Flickr.

Social media activity also includes permitting or failing to remove posts by others whenever the employee can control the content of posts, such as on a personal page or blog.

## Scope of This Policy

This Social Media policy applies:

- To all University employees.
- To social media activity for business or personal purposes.
- To social media activity while on or off duty, when on or off the University's premises, and while using the University's or personal electronic resources.
- To social media activity that relates in any way to, or may reflect on or impact, the University's business, employees, customers, business partners, vendors, suppliers, or competitors; and
- Regardless of whether an employee identifies their affiliation with the University in their social media activity or their account profile or posts anonymously or using a pseudonym.

**Monitoring Internal Communications:** Even if you act with the best intentions, you must remember that anything you distribute on a social channel regarding the University could potentially harm the University. This goes for all internal media as well, such as any University Broadcasts you distribute or forward outside of the University. As soon as you are perceived to act on the University's behalf by distributing information, you and your communication are contributing to our image and reputation, so please act responsibly. If in doubt about a social media posting, or if you have any questions regarding the University's social media policy or branding, please contact the Director of Communications and Public Relations in the Office of Strategic Advancement at (323) 357-3669.

## Conflict of Interest

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While we acknowledge that employees may have pursuits separate from their work at the University, such endeavors cannot compete with or conflict with an employee's job duties and responsibilities at the University. To further explain an employee's obligations to avoid conflicts of interest, a conflict of interest may arise, for instance, when an employee has a financial or other interest that could interfere with the employee's job duties with the University or when an employee uses their position with the University for personal gain. Each employee of the University is required to ensure that they and their family members do not improperly benefit personally from the employee's position as an employee of the University.

Employees must conduct themselves in such a way as to avoid actual or potential conflicts of interest, as set out in this policy. The following are examples of prohibited conflicts of interest in any aspect of an employee's job:

- Acting as a director, officer, consultant, agent, or employee of a supplier, customer, competitor, or other business entity that engages in business with the University.

- Owning a material interest in, being a creditor of, or having other financial interest in a supplier, customer, competitor, or other business entity that engages in business with the University.
- Receiving from or giving to any supplier, customer, or competitor gifts, gratuities, special allowances, discounts, or other advantages not generally available to employees of the University.
- Having any significant direct or indirect personal interest in a business transaction involving the University.
- Conducting outside activities that materially detract from or interfere with the full and timely performance of an employee's services for the University.
- Influencing commercial transactions involving purchases, contracts, or leases in a way that would harm the University or its business.

If an employee finds that they have, or are considering the assumption of, a financial interest, an outside employment relationship or other activity that might involve a conflict of interest, as discussed in this policy, or if the employee is in doubt as to whether any conduct or activity may constitute a conflict of interest, the employee must promptly discuss the matter with the University's General Counsel and refrain from acting on the University's behalf in any manner that might reasonably be considered to be a conflict of interest or affected by any adverse interest. If the matter is deemed to be a conflict of interest, the affected employee must withdraw from the matter.

Failure to disclose a conflict or potential conflict of interest is a violation of this policy and may lead to disciplinary action, up to and including termination of employment.

This policy in no way prohibits employee affiliations, activities, or communications that are protected under applicable state and federal laws, including but not limited to any activity that is protected under Section 7 of the National Labor Relations Act, which includes the right of employees to organize collectively and to speak with others about their terms and conditions of employment.

Refer to CDU Policy 201.5 Conflict of Interest [CDREWU.edu Policies Procedures \(docs-cdrewu.cloud\)](https://cdrewu.edu/Policies-Procedures/docs-cdrewu.cloud)

## Conducting Personal Business

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

Refer to CDU Policy 201.5 Conflict of Interest [CDREWU.edu Policies Procedures \(docs-cdrewu.cloud\)](https://cdrewu.edu/Policies-Procedures/docs-cdrewu.cloud)

## Personal Appearance and Grooming

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The image CDU projects to the public is reflected in the appearance of our employees. Simply stated, employees should look neat, clean, and well-groomed and should be dressed appropriately for the business environment. Employees are expected to use good judgment in their appearance and grooming, keeping in mind the nature of the work, their own safety the safety of co-workers, and their need to interact with the public.

Below are a few guidelines for professional appearance:

- Clothing should not constitute a safety hazard.
- All employees should practice common sense rules of neatness, cleanliness, and comfort.
- When jeans are appropriate for the position, the jeans must be in good condition.
- Personal appearance should include good personal hygiene, clean hair, and no or well-maintained facial hair.
- Jewelry may be restricted for safety reasons, based on the position.

We encourage employees to seek the advice of their supervisor or Human Resources if they have questions regarding appropriate dress or appearance at work.

Employees who report to work improperly dressed or groomed may be instructed by their supervisor to return home to change. The time that nonexempt employees are absent for this purpose will be unpaid unless California law requires otherwise.

## Standards of Conduct

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The University expects employees to follow basic, common-sense rules of conduct that will protect everyone's safety and security.

It is not possible to list all forms of behavior that are considered unacceptable in the work environment. To guide employees, we are providing some examples of possible forms of behavior that are considered unacceptable and may lead to disciplinary action, including termination of employment, at the discretion of the University. The following list is not all-inclusive:

- Falsification of employment records, employment information, or other records or work-related information of the University.
- Recording the work time of another employee, allowing any employee to record another employee's work time, or allowing falsification of any time report, whether yours or another employee's.
- Theft or the deliberate or careless damage of any university property or the property of any employee, client, contractor, or visitor.
- Use of university materials, supplies, tools, or products for personal reasons without advance permission from management.

- Violation of the University's Acceptable Use Policy - 300.1, including sending personal emails during working time.
- Provoking a physical fight or engaging in physical fighting in the work environment, during working hours, at a work event, or on premises owned or occupied by the University,
- Carrying firearms, weapons, or dangerous substances at any time, on premises owned or occupied by the University, unless otherwise permitted by applicable law.
- Using violent, threatening, or unlawfully harassing language at any time in the work environment, during working hours, or while on premises owned or occupied by the University.
- Absence of three (3) consecutive scheduled workdays without prior notice to the University.
- Making knowingly false statements concerning the University or any employee, client, contractor, or visitor.
- Failing to obtain permission from your manager to leave work or be offline during scheduled working time (not including legally required meal and rest breaks) unless the reason is legally protected.
- Failing to observe work schedule requirements, including meal and rest breaks.
- Abusing or misusing paid sick leave.
- Working overtime without authorization or refusing to work assigned hours.
- Violating any policy, rule, or procedure of the University.
- Failure to demonstrate immediate and consistent improvement in poor work performance.
- Engaging in discussions or acts of violence against any employee, client, contractor, or visitor.
- Conduct that is physically injurious or threatening towards any employee, client, contractor, or visitor.
- Refusal to perform assigned duties as requested by a manager unless unsafe or contrary to University policies or procedures.
- Use, consumption, or possession of intoxicating beverages or illegal drugs on the University premises, during working hours, at a work event, or otherwise in violation of the University's Durg and Alcohol Policy.
- Discrimination or harassment in violation of the University's 501 Interim Non-Discrimination and Harassment in Employment and 504 Interim Sex-Gender Discrimination and Sexual Harassment Policy, against any employee, client, contractor, visitor, or other individual involved in the operations of the University based upon race, religion, age, sex, national origin, disability or any other protected characteristic under applicable federal, state or local law.

Please note this list is not all-inclusive and the University may take disciplinary action to address other types of conduct, performance issues, or rule violation in its sole discretion. The University reserves the right to determine which type of disciplinary action to issue an employee. This statement of prohibited conduct does not alter or limit the policy of at-will employment, where applicable. Either the employee or the University may terminate the employment relationship at any time for any reason, with or without cause, and with or without notice.

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

Refer to CDU Policy 300.1 Acceptable Use [CDREWU.edu Policies Procedures \(docs-cdrewu.cloud\)](https://cdrewu.edu/docs-cdrewu.cloud)

Refer to CDU Policy 501 Interim Non-Discrimination and Harassment in Employment [CDREWU.edu Policies Procedures \(docs-cdrewu.cloud\)](https://cdrewu.edu/docs-cdrewu.cloud)

Refer to CDU Policy 504 Interim Sex-Gender Discrimination and Sexual Harassment Policy [CDREWU.edu Policies Procedures \(docs-cdrewu.cloud\)](https://cdrewu.edu/docs-cdrewu.cloud)

## Punctuality and Attendance

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Employees are expected to be regular in attendance and to be punctual. Any tardiness or absence causes problems for fellow employees and supervisors. If employees are absent, their workload must be performed by others, just as they must assume the workload of others who are absent. To limit problems caused by employee absences or tardiness, we have adopted the following policy that applies to absences not previously approved by the University.

Employees are expected to report to work as scheduled, be on time, and be prepared to start work. Employees are also expected to remain at work for their entire work schedule, except for meal or break periods, or when required to leave on authorized university business or otherwise authorized to leave. Non-approved late arrivals, early departures, or other absences from scheduled hours are disruptive and must be avoided.

If employees are unable to report for work on any particular day, they must call their supervisor at least two hours (s) or as soon as practical, before the time the employee is scheduled to begin working for that day. The University may inquire about the general reason for an absence or tardiness. Unless extenuating circumstances exist, employees must call in on any day they are scheduled to work but will not report to work.

Excessive absenteeism or tardiness may result in disciplinary action up to and including termination of employment unless the absence or tardiness is legally protected. The following types of time off will not be considered grounds for disciplinary action under this policy:

- Excused time off, including vacation and other forms of paid time off.
- Approved leaves of absence, including jury duty leave, military leave, and leave protected under the Family and Medical Leave Act or leaves pursuant to other federal, state, or local laws.
- Time off due to a work-related injury that is covered by workers' compensation.

Each situation of absenteeism or tardiness will be evaluated on a case-by-case basis. Even one unexcused absence or tardiness may be considered excessive, depending upon the circumstances.

Absent extraordinary circumstances, if employees fail to report for work without any notification to their supervisor and their absence continues for a period of three days, the University will consider the employee to have abandoned and voluntarily terminated their employment. Notwithstanding these provisions, employees who are on an approved leave of absence will generally not be subject to corrective action as a result of absences.

Employees who telecommute are expected to follow these same guidelines but may make arrangements to temporarily modify their work schedule to accommodate personal circumstances because of childcare or personal or family health care due to a reasonable accommodation approved by Human Resources.

Refer to CDU Policy 201.6 Disciplinary Action [CDREWU.edu Policies Procedures \(docs-cdrewu.cloud\)](https://cdrewu.edu/policies-procedures/docs-cdrewu.cloud)

## Disciplinary Action

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Disciplinary action is normally progressive in nature with the intent of improving the conduct or performance issue and focusing on the employee's development. Progressive discipline is intended to give an employee advance notice, whenever possible, of problems with their conduct or performance in an effort to allow them to improve. When employees exhibit performance or conduct that is unsatisfactory, the University employs progressive disciplinary measures to identify and address employee and employment-related problems. Of course, no discipline policy can be expected to address each and every situation requiring corrective action that may arise in the workplace. Therefore, the University takes a comprehensive approach regarding discipline and will attempt to consider all relevant factors before making decisions regarding discipline.

Most often, employee conduct that warrants discipline results from unacceptable behavior, poor performance, or violation of the University's policies, practices, or procedures. However, discipline may be issued for conduct that falls outside of those identified areas. However, the University reserves the right to combine or skip steps to take whatever action it deems necessary to address the issue at hand. This may mean that more or less severe discipline is imposed in a given situation. Likewise, some policies like sexual harassment and attendance contain specific discipline procedures.

Progressive discipline may be implemented even when the conduct that leads to more serious discipline is not the same that resulted in less severe discipline. That is, violations of different rules shall be considered the same as repeated violations of the same rule for purposes of progressive action.

The University will normally adhere to the following progressive disciplinary process:

1. **Verbal Counseling:** An employee will be given verbal counseling when the employee engages in problematic behavior. As the first step in the progressive discipline policy, verbal counseling is meant to alert the employee that a problem may exist or that one has

been identified, which must be addressed. Verbal counseling will be documented and maintained by the employee's supervisor.

2. **Verbal Warning:** A verbal warning is more serious than verbal counseling. If after the verbal counseling, the employee's performance or conduct does not improve, or if an informal discussion is not reasonable under the circumstances, the supervisor may review all of the factors with the employee and provide him/her with an opportunity to explain their situation. The supervisor may counsel the employee and explain the behavior or performance problems and explain expectations and the timeframe for improvement. The manager should document this discussion, provide a copy for the employee, and set a date to follow up to evaluate progress. Verbal warnings will be placed in the employee's personnel file.
3. **Written Warning:** A written warning is more serious than a verbal warning. A written warning will be given when an employee engages in conduct that justifies a written warning or the employee engages in unacceptable behavior during the period that a verbal warning is in effect. Written warnings are maintained in an employee's personnel file. The supervisor and employee should develop a performance improvement plan to correct performance and behavior deficiencies.
4. **Final Written Warning:** A final written warning is given to the employee as the last opportunity to correct performance or behavior or before a separation of employment occurs. An employee will be terminated when he or she engages in conduct that justifies termination or does not correct the matter resulting in less severe discipline.

Again, while the University will generally take disciplinary action in a progressive manner, it reserves the right, in its sole discretion, to decide whether and what disciplinary action will be taken in a given situation.

Refer to CDU Policy 201.6 Disciplinary Action [CDREWU.edu Policies Procedures \(docs-cdrewu.cloud\)](https://cdrewu.edu/policies-procedures/docs-cdrewu.cloud)

## Workplace Conflict and Complaints

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### **Reporting and Anti-Retaliation Policy**

#### **We Encourage a Speak Up Culture**

Choosing to speak up about work-related concerns helps build a healthy, ethical, and compliant University and is part of our culture. To promote that culture, the University encourages employees to speak up and raise questions and concerns promptly about any situation that may violate our policies or procedures; the laws, rules, and regulations that govern our business

operations; and best practices in accounting, auditing and financial reporting matters (collectively these are referred to in this policy as our "Code").

For purposes of this policy, and because our Code captures standards of ethics and compliance at a broad level, references to our "Code" should also be read to encompass all of our obligations to perform our jobs in a manner that is consistent with the University's policies and procedures, as well as applicable laws. Our people are our most valuable asset. It benefits all of us if we raise our concerns so the University may consider them carefully and address them properly.

CDU is deeply committed to promoting a culture of ethical business conduct and compliance with:

- Our policies and procedures.
- The laws, rules, and regulations that govern our business operations.
- Best practices in accounting, auditing, and financial reporting matters.

We expect all of our employees, officers, directors, and agents to follow this commitment in all aspects of their work.

### **Raise Good-Faith Questions and Concerns About Conduct That May Violate Our Code**

Consistent with our commitment to ethics, compliance, and the law, we welcome your good-faith questions and concerns about any conduct you believe may violate our Code.

We promote an environment that fosters good-faith communications when performing job duties and responsibilities for the University. This includes conduct by employees, managers, supervisors, and third parties involved in the University's business operations, including, for example, contractors, suppliers, consultants, or clients.

### **The University Does Not Tolerate Retaliation**

Coming forward with questions or concerns may sometimes feel like a difficult decision, but we are committed to fostering an environment that does not deter individuals from speaking up when they observe conduct that may violate our Code. For that reason, the University will not tolerate retaliation of any kind because an employee in good faith raises a question or concern about a violation or suspected violation of our Code, or because the employee participates in or cooperates with an investigation of such concerns.

Retaliation is any conduct that would reasonably dissuade an employee from raising, reporting, or communicating about good-faith concerns through our internal reporting channels or with any governmental authority or from participating in or cooperating with an investigation or legal proceeding raising such concerns.

Retaliation may occur through conduct or written communication and may take many forms, including actual or implied threats, verbal or nonverbal behaviors, changes to the terms or conditions of employment, coercion, bullying, intimidation, or deliberate exclusionary behaviors.

It is the University's policy to adhere to all applicable laws protecting our employees against unlawful retaliation or discrimination as a result of their raising good-faith questions or concerns. If you are ever aware of an instance or threat of retaliation, please immediately report it.

Please note that nothing in this policy prevents the University from taking appropriate disciplinary or other legitimate employment action consistent with its usual disciplinary practices and the law. In addition, this policy prohibits and does not protect employees who knowingly and intentionally raise false concerns or reports.

## **How to Raise Questions and Concerns**

Employees can submit their good-faith questions or concerns about conduct they believe may violate our Code to:

- Their supervisor or manager.
- Human Resources.
- The Chief Compliance Officer or General Counsel.
- Our anonymous and confidential Alert Line at [Find Your Organization \(convercent.com\)](#) or call 800-461-9330 to speak to a representative.

When an employee raises a concern, the University will maintain confidentiality to the fullest extent possible, consistent with applicable legal requirements and the need to conduct an adequate investigation or review. Use the Alert Line at [Find Your Organization \(convercent.com\)](#) or call 800-461-9330 to speak to a representative.

When raising concerns, we ask that employees provide as much detailed information as possible, including the background and history of the concern, names, dates, places, and the reasons why the situation is cause for concern. This is especially important for concerns raised anonymously, so that the University may conduct an appropriate review and, if necessary, begin an investigation.

## **What We Will Do**

CDU is committed to reviewing all reported concerns; conducting proper, fair, and thorough investigations tailored to the circumstances; and taking appropriate remedial and concluding steps as warranted. All action taken by the University in response to a concern will necessarily depend on the nature and severity of the concern. This may include initial inquiries and fact-gathering to decide whether an investigation is appropriate and, if so, the form and scope of the investigation. Note that an investigation into concerns raised is not an indication that they have either been confirmed or rejected. The University complies with the law in conducting investigations. The University also expects employees to provide truthful information when participating in an investigation and, during the investigation, to keep matters related to the investigation confidential.

Remember, all good-faith concerns and reports raised under this policy will be taken seriously.

## **Adherence to This Policy**

Employees who believe that they have been subjected to any conduct that violates this policy may register a complaint using the procedures outlined above. Any employee who unlawfully discriminates or retaliates against another employee as a result of their protected actions as described in this policy may be subject to corrective action, up to and including termination.

Please note as well that the University does not prohibit anyone from electing to report concerns to, make lawful disclosures to, provide documents or other information to, or communicate with the EEOC, the National Labor Relations Board (NLRB or Board), the SEC or any other federal, state or local agency about conduct believed to violate laws or regulations. The University also does not prohibit employees from participating in investigations or proceedings conducted by one of these authorities.

Refer to CDU Policy 201.7 Workplace Conflict and Complaint Process [CDREWU.edu Policies Procedures \(docs-cdrewu.cloud\)](https://cdrewu.edu/policies-procedures/docs-cdrewu.cloud)

Refer to CDU Policy Interim Title IX Sexual Harassment Grievance Procedures [CDREWU.edu Policies Procedures \(docs-cdrewu.cloud\)](https://cdrewu.edu/policies-procedures/docs-cdrewu.cloud)

## **Work Schedules and Timekeeping**

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CDU is normally open for business from Monday through Friday, 8:00 A.M. to 5:00 P.M. Your supervisor will assign your work schedule.

All employees are expected to be at their designated work area at the start of their scheduled shift, ready to perform their work.

Supervisors will schedule meal and rest breaks as appropriate. The University complies with federal and California law in this regard. Employees should review the University's Meal and Rest Breaks policy for further information.

Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in total hours that may be scheduled each day and week

### **Timekeeping**

#### **Nonexempt Employees**

Employees who are classified as nonexempt must accurately record the time they work each day, including arrival, departure, and meal break times.

When employees receive their paychecks, they should verify immediately that their working time was recorded accurately and that they were paid correctly for all hours worked.

Nonexempt employees must report *all* time worked and must *not* work any time that is not authorized by their supervisors. This means nonexempt employees must not start work early, finish work late, work during a meal break, or perform any other extra or overtime work unless directed to do so. Employees who have questions about when or how many hours they are expected to work should contact their supervisor or a Human Resources Manager.

Employees who fail to record their time accurately or otherwise violate this policy will be subject to disciplinary action. The following examples are considered violations of this policy:

- Failing to enter or submit time.
- Entering or submitting time late.
- Working unapproved overtime.
- Falsifying time records.

It is a violation of the University's policy for anyone to instruct or encourage another employee to work "off the clock," to incorrectly report hours worked or to alter another employee's time records. If any employee is directed or encouraged to incorrectly report hours worked or to alter another employee's time records, the employee should report the incident immediately to a supervisor or a Human Resources Manager.

Supervisors or managers are required to review and approve timecard submissions and time off requests in UKG at the close of each pay period. Supervisors and managers are expected to adhere to the Payroll and Timecard Schedules as published by Payroll. Supervisors and managers are also expected to comply with and respond to any emails from payroll regarding timecard approvals in UKG. Supervisors and managers who fail to review and approve timecards and time off requests will be subject to disciplinary action.

## **Exempt Employees**

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

Exempt employees are paid on a salary basis. This means the employee regularly receives a predetermined amount of compensation each pay period, which cannot be reduced because of variations in the quality or quantity of the employee's work. In general, an exempt employee will receive their salary for any week in which the employee performs any work, regardless of the number of days or hours worked. However, an exempt employee will not be paid for days not worked in the following circumstances:

- Exempt employees who take one or more full days off for personal reasons other than sickness or disability will not be paid for such day(s) of absence, but employees may use available vacation or paid time off (PTO)] to make up for the salary reduction.
- Exempt employees who take one or more full days off from work due to sickness or disability will not be paid for such day(s) of absence, but employees may use available sick time to make up for the salary reduction.
- Exempt employees who work only part of the week during their first and last week with the University will be paid only for the days worked.

- Exempt employees who take unpaid leave under the Family and Medical Leave Act or corresponding laws will not be paid for such days/hours of absence; and
- Exempt employees who receive an unpaid disciplinary suspension of one or more full days, imposed in good faith for a workplace conduct rule infraction, will not be paid for the days of suspension.

The University may require an exempt employee to use available vacation, as a replacement for salary, when the employee takes less than a full day off from work.

An exempt employee's salary will not be reduced when the employee works part of a week and misses part of a week due to service as a juror, as a witness, or in the military or for lack of work, though deductions may be made to offset amounts an employee receives as jury or witness fees, or for military pay.

It is University policy to comply with the salary basis requirements of the Fair Labor Standards Act (FLSA) and applicable state law. The University prohibits any deductions from pay that violate the FLSA or applicable state law.

If an exempt employee believes that an improper deduction has been made to their salary, they should immediately report this information to Human Resources or a supervisor. Reports of improper deductions will be promptly investigated, and the employee will be promptly reimbursed for any improper deductions made.

Refer to CDU Policy 201.21 Hours of Work [CDREWU.edu Policies Procedures \(docs-cdrewu.cloud\)](https://cdrewu.edu/Policies-Procedures/docs-cdrewu.cloud)

Refer to CDU Policy 201.22 Overtime [CDREWU.edu Policies Procedures \(docs-cdrewu.cloud\)](https://cdrewu.edu/Policies-Procedures/docs-cdrewu.cloud)

Refer to CDU Policy 201.58 Timekeeping

Refer to the CDU Time Off Guide for vacation, PTO, sick time accruals, and other paid time off. The CDU Time-Off Guide is located on the HR SharePoint site [CDU Benefits \(sharepoint.com\)](https://sharepoint.com)

### Meal and Rest Periods

The University complies with federal and state legal requirements concerning meal and rest periods. The University recognizes that employees perform at their best when they have the rest and nourishment they need. This policy explains when the University expects employees to take meal and rest periods.

### ***Meal Periods***

The University provides at least a 30-minute meal period to employees who work more than five hours in a work period and a second 30-minute meal period to employees who work more than 10 hours in a work period unless they have elected to waive a meal period in accordance with the University's policy and state law. Under certain circumstances, employees can voluntarily elect to waive a meal period. Meal Period Waivers are available in the University's timekeeping system UKG under the Workforce Management tab.

When an employee works for a work period of more than five hours, the University will provide a 30-minute meal period to start within the first five hours of work (e.g., if the employee begins work at 8 a.m., the meal period will be provided to start no later than 1 p.m.). When an employee works for a work period of more than 10 hours, the University will provide a second 30-minute meal period to start within the first ten hours of work (e.g., if the employee begins work at 8 a.m. and takes a first unpaid meal period of exactly 30 minutes, the second meal period will be provided to start no later than 6:30 p.m.).

Employees are relieved of all of their duties during meal periods and are allowed to leave the premises.

The University provides meal periods as follows:

| <b>Number of Hours Worked in a Work Period</b> | <b>Number of Meal Periods Provided</b> | <b>Comments</b>   |
|--|--|---|
| 0 to $\leq$ 5.0                                | 0                                      | An employee who does not work more than five hours in a work period is not provided with a meal period.   |
| > 5.0 to $\leq$ 10.0                           | 1                                      | An employee who works more than five hours in a work period, but who does not work more than 10 hours in a work period, is provided with a 30-minute meal period to start within the first five hours of work, subject to any meal period waiver in effect.                             |
| > 10.0   | 2                                      | An employee who works more than 10 hours in a work period is provided with a second 30-minute meal period to start within the first 10 hours of work, subject to any meal period waiver in effect. The meal period waiver will be invalidated if the employee works more than 12 hours. |

*p>The University does not pay non-exempt employees for meal periods, and consequently, non-exempt employees must record the start and stop times of their meal periods.*

### ***Rest Periods***

Non-exempt employees are authorized and permitted to take a 10-minute paid rest period for every four hours worked, or a major fraction thereof. Employees are relieved of all of their duties during rest periods and are allowed to leave the premises. The University authorizes and permits rest periods as follows:

| <b>Number of Hours Worked in a Work Period</b> | <b>Number of 10-Minute Rest Periods</b> | <b>Comments</b>  |
|--|---|--|
| 0 to < 3.5                                     | 0                                       | A non-exempt employee who works less than three and one-half hours in a work period is not entitled to a rest period.  |
| 3.5 to ≤ 6                                     | 1                                       | A non-exempt employee who works between three and one-half and six hours in a work period is entitled to one 10-minute rest period.  |
| > 6.0 to ≤ 10.0                                | 2                                       | A non-exempt employee who works more than six hours in a work period but who does not work more than 10 hours in a work period is entitled to two 10-minute rest periods.  |
| > 10.0 to ≤ 14.0                               | 3                                       | A non-exempt employee who works more than 10 hours in a work period but who does not work more than 14 hours in a work period is entitled to three 10-minute rest periods. |

***Non-exempt employees who work more than 14 hours in a work period may be entitled to additional rest periods.***

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

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

### ***Responsibilities***

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

Any non-exempt employee who is not provided with a meal period or authorized and permitted to take a rest period in accordance with the terms of this policy is immediately entitled to a meal or rest period premium. Supervisors will be responsible for authorizing meal or rest period premiums. Any supervisor who knows or should reasonably know that a meal or rest period was not provided in accordance with this policy should arrange for a premium to be issued to the employee. Employees are responsible for reporting to their supervisor any meal period that was not provided or any rest period not authorized and permitted where the supervisor would have no reason to otherwise know of this fact. Employees who feel they are owed a premium as a result of this policy but have not received the premium should report the missing premium immediately to their supervisor or the Payroll Department.

Refer to CDU Policy 201.21 Hours of Work [CDREWU.edu Policies Procedures \(docs-cdrewu.cloud\)](https://cdrewu.edu/policies-procedures/docs-cdrewu.cloud)

## Payment of Wages

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Employees will be paid on the 10th and 25th of each month by check or direct deposit. Each pay period covers work from the 1st of the month through the 15th of the month paid on the 25th of the month and the 16th of the month through the last day of the month paid on the 10th of the following month.

If the regular payday falls on a University-recognized holiday, then employees will be paid on the workday before the regular payday. Employees who enjoy the benefit of electronic direct deposit will receive deposit advice on each payday.

### **Paycheck Deductions**

CDU is required by California and federal law to make certain deductions from employees' paychecks each pay period. Such deductions typically include federal and state income taxes, Social Security, or wage garnishments. Depending on the benefits employees choose, deductions expressly authorized in writing by the employee to cover insurance premiums or other benefit premiums may also occur.

The University will not make any deduction from an employee's wages that is not either authorized by the employee in writing or permitted by California or federal law.

The amount of all deductions will be listed on an employee's pay stub.

### **Reporting Errors and Obtaining More Information**

If any employee, exempt or nonexempt, has questions about deductions from their pay, believes they have been subjected to improper deductions, or believes that the amount paid does not accurately reflect their total hours worked or salary, please contact Human Resources or a supervisor.

Every report will be fully investigated, and CDU will provide the employee with any compensation to which the employee is entitled in a timely fashion.

CDU complies with California and federal law and will not allow any form of retaliation against individuals who make good-faith reports of alleged violations of this policy, or who cooperate in an investigation by CDU, even if the reports do not reveal any errors or wrongdoing.

## Discussion of Wages - California

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No employee is prohibited from disclosing the amount of their wages. The University will not terminate, demote, suspend, or otherwise discriminate or retaliate against an employee who makes such a disclosure or because an employee exercises their rights, or aids or encourages other employees in exercising their rights, under California's equal pay law.

This policy does not require disclosure of wages.

## Health and Safety

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The health and safety of employees and others on University property is of critical concern to CDU. We strive to attain the highest possible level of safety in all activities and operations. The University also intends to comply with all applicable health and safety laws.

To this end, the University must rely upon our employees to ensure that work areas are kept safe and free of hazardous conditions. Employees should be conscientious about workplace safety including proper operating methods and known dangerous conditions or hazards. Employees should report any unsafe conditions or potential hazards to a supervisor immediately, even if they believe they have corrected the problem. If an employee suspects a concealed danger is present on University premises or in a product, facility, piece of equipment, process, or business practice for which the University is responsible, the employee must immediately bring it to the attention of their supervisor or the Director of Risk Management. Supervisors should immediately arrange for the correction of any unsafe condition or concealed danger and should contact Risk Management regarding the problem.

Periodically, the University may issue rules and guidelines governing workplace safety and health. The University may also issue rules and guidelines regarding the handling and disposal of hazardous substances and waste. All employees should familiarize themselves with these rules and guidelines, as strict compliance will be expected. For copies of current rules and guidelines, employees should contact their supervisor Human Resources. Failure to strictly comply with rules and guidelines regarding health and safety, or negligent work performance that endangers health and safety, will not be tolerated.

Additionally, the University has developed a written Injury and Illness Prevention Program as required by law. Employees may receive a copy of this program by contacting Risk

Management. It is employees' responsibility to read, understand, and observe the Injury and Illness Prevention Program provisions applicable to their job.

Any workplace injury, accident, or illness must be reported to an employee's supervisor as soon as possible, regardless of the severity of the injury or accident. If medical attention is required immediately, supervisors will assist employees in medical care, after which the details of the injury or accident must be reported. First-aid remedies for minor headaches and minor injuries will be kept in the first-aid kits located in each department.

Injury and Illness Prevention Program [Policy, Procedures and Manuals | Charles R. Drew University of Medicine and Science \(cdrewu.edu\)](#)

## Employees who are Required to Drive

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CDU provides University-owned vehicles for approved selected employees to drive on University-designated business. CDU will also reimburse these employees for business use of personal vehicles in accordance with this policy

All employees are expected to comply with all local, state, and federal laws while operating University vehicles and other equipment or driving a personal vehicle for business purposes. CDU may discipline employees who engage in unlawful conduct. For example, employees who are assigned to drive a University-owned vehicle or otherwise required to drive as part of their job duties are required to have and maintain a valid driver's license, wear seat belts, and travel at a safe speed. The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, may result in disciplinary action, up to and including termination of employment. Employees will be responsible for all liabilities, fines, etc., that result from such traffic and parking violations to the extent permissible under the law.

Employees are to use their university-owned vehicle for work-related purposes only but may run incidental, personal errands during their commute to and from work or during their meal break. This commuting and meal break time is the employee's time. Employees are not allowed to use University vehicles outside of normal work hours unless specifically authorized by senior management.

University vehicles are to be driven by authorized employees only, except in the case of repair testing by a mechanic. Any accidents in university vehicles or while driving on university business, regardless of severity, must be reported immediately to the police and Risk Management. Failing to stop after an accident and/or failing to report an accident may result in disciplinary action, up to and including termination of employment.

Drivers are responsible for the security of university vehicles assigned to them. The vehicle engine must be shut off, ignition keys removed, and vehicle doors locked whenever the vehicle is left unattended.

## Cell Phone Use/Texting While Driving

Employees whose job responsibilities include regular or occasional driving and who are issued a university cell phone (including smartphones and other mobile electronic devices) or use their cell phone for business-related work are expected to put safety first. Therefore, personal and University-supplied cell phones are not to be used while driving.

Employees who receive or must make a call while driving must pull over safely and park before answering, returning, or placing a call. Employees also may not send or review text messages while driving as part of their job responsibilities.

The purpose of this policy is to ensure the safety of employees, other motorists, and University property. Employees who are charged with traffic violations or cause accidents or injuries resulting from their use of personal or university-issued cell phones while driving will be solely responsible for all liabilities, fines, etc., that result, to the extent permissible under the law.

Employees whose job responsibilities do not specifically include driving as an essential function, but who are issued a university-provided cell phone for business use or who use their cell phone for business use, are also expected to abide by the provisions of this policy.

## Security

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The University has developed guidelines to help maintain a secure workplace. To maintain a secure workplace on campus, the University employs armed Campus Safety Officers who patrol the campus 24 hours a day, 7 days a week. The University also has cameras that are throughout the campus. Your assistance in maintaining a safe work environment enhances our safety on campus. Be aware of persons loitering for no apparent reason in parking areas, walkways, entrances and exits, and service areas. Report any suspicious persons or activities to security personnel.

Make sure that you lock your vehicle and remove or hide any exposed valuables. Secure your desk or office at the end of the day. When called away from your work area for an extended length of time, do not leave valuable and/or personal articles in or around your workstation that may be accessible. The security of the facilities as well as the welfare of our employees depends upon the alertness and sensitivity of every individual to potential security risks. You should immediately notify your supervisor or campus safety when unknown persons are acting suspiciously in or around the facilities, or when keys, security passes, or identification badges are missing.

The University's workplace security program is described in detail in the University's Illness and Injury Prevention Program (IIPP). IIPP

# The Clery Act

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The Clery Act is a federal law requiring colleges and universities receiving federal funding to collect, maintain, and disclose the last three years of specified criminal activity occurring on campus or near designated areas. The information is compiled into a document known as the Clery Report, which identifies the number of reported incidents of serious criminal offenses involving persons and/or property. The report also includes references to related University policies and procedures such as sexual harassment/sexual assault under Title IX of the Educational Amendments Act of 1972, along with information on support and resources available to individuals.

The Clery Report provides important explanations of the University's safety and emergency procedures. This includes information related to the University's emergency notification and timely warning systems and reporting procedures. Useful security awareness and safety tips are also contained therein.

The Clery Report is updated and published annually on the University website.

The Office of Campus Safety and Security (OCSS) has primary responsibility for the compilation and dissemination of the information provided in the Clery Report and a hard copy can be obtained from the office.

To view the most current Clery Report: [Clery Report | Charles R. Drew University of Medicine and Science \(cdrewu.edu\)](https://cdrewu.edu/clery-report)

Additional questions or reports of criminal activity can be directed to OCSS at:

Office of Campus Safety and Security  
COBB Lobby  
1731 East 120th Street Los Angeles,  
California 90059  
(323) 563-4918 Main Line  
(323) 326-4859 After hours (5 p.m.)

Inquiries can also be directed to:  
Office of Compliance, EEO, Diversity and Title IX  
1731 East 120th Street, COBB, 2nd Floor  
Los Angeles, California 90059  
(323) 357-3684

Reports may also be made to:

CDU Alert Line [mysafecampus.com](https://mysafecampus.com) (800) 716-9007 (Anonymous reporting available via Alert Line)

[Compliance | Charles R. Drew University of Medicine and Science \(cdrewu.edu\)](https://cdrewu.edu/compliance)

# Workplace Violence

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The University has a zero-tolerance policy for acts of violence or threats of violence. Without exception, acts and threats of violence are not permitted. Possession of nonwork-related weapons on university premises or university-sponsored events shall constitute a threat of violence. Violent acts or threats of violence against students, faculty, staff, vendors, or applicants for employment, even those made in apparent jest, will be taken seriously and will lead to discipline up to and including termination. No employee should commit or threaten to commit any violent act against a student, faculty, staff, vendor, or applicant. Any employee who is subject to, or threatened with violence by, a student, faculty, staff, or vendor, or is aware of another individual who has been subjected to or threatened with violence has a responsibility to report this information to a supervisor, manager, Department of Human Resources, Department of Risk Management, or Campus Safety as soon as possible. Contact information is:

- Campus Safety (323) 563-4918 (7 a.m. to 5 p.m.)
- Campus Safety (323) 326-4859 (after 5 p.m. and weekends)

A threat includes but is not limited to, any indication of intent to harm a person or damage University property. Threats may be direct or indirect, and they may be communicated verbally or nonverbally.

The following are examples of threats and acts that shall be considered violent. This list is in no way all-inclusive.

- Saying, "Do you want to see your next birthday?" Indirect
- Writing, "Employees who kill their supervisors have the right idea." Indirect
- Saying, "I know where you live." Indirect
- Saying, "I'm going to punch your lights out." Direct
- Making a hitting motion or obscene gesture. Nonverbal
- Displaying weapons. Extreme
- Stalking or otherwise forcing undue attention on someone, whether romantic or hostile. Extreme
- Taking actions likely to cause bodily harm or property damage. Extreme

Refer to CDU Policy 201.57 Workplace Violence Prevention Policy

## Applicable Laws and Regulations

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### **Federal**

Family Medical Leave Act (FMLA) <https://www.dol.gov/agencies/whd/fmla>

Fair Labor Standards Act (FLSA) <https://www.dol.gov/agencies/whd/flsa>

Occupational Safety and Health (OSH) Act: <https://www.osha.gov/laws-regs>

Employee Polygraph Protection Act (EPPA): <https://www.dol.gov/agencies/whd/polygraph>

Executive Order 11246 (Equal Employment Opportunity):

<https://www.dol.gov/agencies/ofccp/executive-order-11246/ca-11246>  
The Uniformed Services Employment and Reemployment Rights Act (USERRA):  
<https://www.dol.gov/agencies/ofccp/executive-order-11246/ca-11246>  
U.S. Department of Labor: <https://www.dol.gov/>

## **California**

CA Family Rights Act (CFRA)

[https://ca.db101.org/ca/situations/workandbenefits/rights/program2c.htm#%3A%7E%3Atext%3DCalifornia%20Family%20Rights%20Act%20\(CFRA\)%2Cduring%20a%2012%2Dmonth%20period.%26text%3DTo%20care%20for%20an%20immediate%2Cwith%20a%20serious%20health%20condition](https://ca.db101.org/ca/situations/workandbenefits/rights/program2c.htm#%3A%7E%3Atext%3DCalifornia%20Family%20Rights%20Act%20(CFRA)%2Cduring%20a%2012%2Dmonth%20period.%26text%3DTo%20care%20for%20an%20immediate%2Cwith%20a%20serious%20health%20condition)

Cal/OSHA - Division of Occupational Safety and Health: <https://www.dir.ca.gov/dosh/>  
Department of Fair Employment and Housing (DFEH): <https://www.dfeh.ca.gov/employment/>  
Division of Labor Standards Enforcement (DLSE): <https://www.dir.ca.gov/dlse/>  
Labor Commissioner's Office: <https://www.dfeh.ca.gov/employment/>

California Drug-Free Workplace Act:

[https://california.public.law/codes/ca\\_gov't\\_code\\_section\\_8350](https://california.public.law/codes/ca_gov't_code_section_8350)

California Labor Code:

<https://leginfo.legislature.ca.gov/faces/codesTOCSelected.xhtml?tocCode=LAB&tocTitle=+Labor+Code+-+LAB>

# Discrimination, Harassment, and Retaliation Prevention

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## **Equal Employment Opportunity**

CDU is an equal opportunity employer. In accordance with applicable law, we prohibit discrimination and harassment against employees, applicants for employment, individuals providing services in the workplace pursuant to a contract, unpaid interns and volunteers based on their actual or perceived: race (including traits historically associated with race, such as hair texture and protective hairstyles), religious creed, color, national origin, citizenship status, ancestry, physical disability (including HIV/AIDS) or mental disability, medical condition, genetic information, marital status (including registered domestic partnership status), sex and gender (including pregnancy, childbirth, lactation and related medical conditions), gender identity and gender expression (including transgender individuals who are transitioning, have transitioned, or are perceived to be transitioning to the gender with which they identify), age (40 and over), sexual orientation, Civil Air Patrol status, military and veteran status, an individual's reproductive health decisions and any other consideration protected by federal, state or local law (collectively referred to as "protected characteristics").

For purposes of this policy, discrimination on the basis of "national origin" also includes discrimination against an individual because that person holds or presents the California driver's license issued to those who cannot document their lawful presence in the United States, as well as discrimination based upon any of the following:

- An individual's or individual's ancestors' actual or perceived physical, cultural or linguistic characteristics associated with a national origin group.
- Marriage to or association with individuals of a national origin group.
- Tribal affiliation.
- Membership in or association with an organization identified with or seeking to promote the interests of a national origin group.
- Attendance or participation in schools, churches, temples, mosques or other religious institutions generally used by persons of a national origin group.
- A name that is associated with a national origin group.

An employee's or applicant for employment's immigration status will not be considered for any employment purpose except as necessary to comply with federal, state or local law.

The University allows employees to self-identify their gender, name and/or pronoun, including gender-neutral pronouns. The University will use an employee's gender or legal name as indicated on a government-issued identification document, only as necessary to meet an obligation mandated by law. Otherwise, the University will identify the employee in accordance with the employee's current gender identity and preferred name.

The University will not tolerate discrimination or harassment based upon these characteristics or any other characteristic protected by applicable federal, state or local law. The University also does not retaliate or otherwise discriminate against applicants or employees who request reasonable accommodation for reasons related to disability or religion. Our commitment to equal opportunity applies to all persons involved in our operations and prohibits unlawful discrimination and harassment by any employee, including supervisors and co-workers.

### **Prohibited Harassment**

**CDU** is committed to providing a work environment that is free of illicit harassment based on any protected characteristics. As a result, the University maintains a strict policy prohibiting sexual harassment and harassment against employees, applicants for employment, individuals providing services in the workplace pursuant to a contract, unpaid interns or volunteers based on any legally-recognized basis, including, but not limited to, their actual or perceived race (including traits historically associated with race, such as hair texture and protective hairstyles), religious creed, color, national origin, ancestry, citizenship status, physical disability (including HIV/AIDS) and mental disability, medical condition, genetic information, marital status (including registered domestic partnership status), sex and gender (including pregnancy, childbirth, lactation and related medical conditions), gender identity and gender expression (including transgender individuals who are transitioning, have transitioned, or are perceived to be transitioning to the gender with which they identify), age (40 or over), sexual orientation, Civil Air Patrol status, military and veteran status, an individual's reproductive health decisions or any other consideration protected by federal, state or local law. For purposes of this policy, discrimination on the basis of "national origin" also includes harassment against an individual because that person holds or presents the California driver's license issued to those who cannot document their lawful presence in the United States, and based on any of the following:

- An individual's or individual's ancestors' actual or perceived physical, cultural or linguistic characteristics associated with a national origin group.
- Marriage to or association with individuals of a national origin group.
- Tribal affiliation.
- Membership in or association with an organization identified with or seeking to promote the interests of a national origin group.
- Attendance or participation in schools, churches, temples, mosques or other religious institutions generally used by persons of a national origin group; or
- A name that is associated with a national origin group.

All such harassment is prohibited.

This policy applies to all persons involved in our operations, including co-workers, supervisors, managers, temporary or seasonal workers, agents, clients, vendors, customers, or any other third party interacting with the University ("third parties") and prohibits proscribed harassing by any or third party of CDU including nonsupervisory employees, supervisors and managers. If such harassment occurs on CDU's premises or is directed toward an employee or a third party interacting with CDU, the procedures in this policy should be followed.

### **Sexual Harassment Defined**

Sexual harassment includes unwanted sexual advances, requests for sexual favors or visual, verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made a term or condition of employment; or
- Submission to, or rejection of, such conduct is used as a basis for employment decisions affecting the individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment also includes various forms of offensive behavior based on sex and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list of the types of conduct prohibited by this policy:

- Unwanted sexual advances.
- Offers of employment benefits in exchange for sexual favors.
- Making or threatening reprisals after a negative response to sexual advances.
- Visual conduct: leering; making sexual gestures; displaying of sexually suggestive objects or pictures, cartoons, posters, websites, emails or text messages.
- Verbal conduct: making or using derogatory comments, epithets, slurs, sexually explicit jokes, or comments about an employee's body or dress.
- Verbal sexual advances.
- Verbal sexual abuse of a sexual nature; graphic verbal commentary about an individual's body; sexually degrading words to describe an individual; suggestive or obscene letters, notes or invitations.
- Physical conduct: touching, assault or impeding or blocking normal movements.

An employee may be liable for harassment based on sex even if the alleged harassing conduct was not motivated by sexual desire. An employee who engages in unlawful harassment may be personally liable for harassment even if the University had no knowledge of such conduct.

### **Other Types of Harassment**

Harassment on the basis of any legally protected characteristic as identified above, is prohibited. Prohibited harassment may include behavior similar to the illustrations above pertaining to sexual harassment. This includes conduct such as:

- Verbal conduct includes threats, epithets, derogatory comments or slurs based on an individual's protected classification.
- Visual conduct, including derogatory posters, photographs, cartoons, drawings or gestures based on protected classification.

### **Abusive Conduct Prevention**

It is expected that the University and persons in the workplace perform their jobs productively as assigned, and in a manner that meets all of management's expectations, during working times, and that they refrain from any malicious, patently offensive or abusive conduct including but not limited to conduct that a reasonable person would find offensive based on any of the protected characteristics described above. Examples of abusive conduct include repeated infliction of verbal abuse, such as the use of malicious, derogatory remarks, insults, and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the intentional sabotage or undermining of a person's work performance.

### **Protection Against Retaliation**

Retaliation is prohibited against any person by another employee or by CDU for using the University's complaint procedure, reporting proscribed discrimination or harassment or filing, testifying, assisting or participating in any manner in any investigation, proceeding or hearing conducted by a governmental enforcement agency. Prohibited retaliation includes, but is not limited to, termination, demotion, suspension, failure to hire or consider for hire, failure to give equal consideration in making employment decisions, failure to make employment recommendations impartially, adversely affecting working conditions or otherwise denying any employment benefit.

### **Discrimination, Harassment, Retaliation and Abusive Conduct Complaint Procedure**

Any employee who believes that they have been harassed, discriminated against, or subjected to retaliation or abusive conduct by a co-worker, supervisor, agent, client, vendor, customer, or any other third party interacting with CDU in violation of the foregoing policies, or who is aware of such behavior against others, should immediately provide a written or verbal report to their supervisor, any other member of management, Human Resources, or the Chief Compliance Officer.. Employees may also file a complaint through the Alert Line at [Compliance | Charles R.Drew University of Medicine and Science \(cdrewu.edu\)](#).

Employees are not required to make a complaint directly to their immediate supervisor. Supervisors and managers who receive complaints of misconduct must immediately report such complaints to Human Resources who will attempt to resolve issues internally.

When a report is received, the University will conduct a fair, timely, thorough and objective investigation that provides all parties appropriate due process and reaches reasonable conclusions based on the evidence collected. The University expects all employees to fully cooperate with any investigation conducted by the University into a complaint of proscribed harassment, discrimination or retaliation or regarding the alleged violation of any other University policies. The University will maintain confidentiality surrounding the investigation to the extent possible and to the extent permitted under applicable federal and state law.

Upon completion of the investigation, the University will communicate its conclusion as soon as practical. If the University determines that this policy has been violated, remedial action will be taken, commensurate with the severity of the offense, up to and including termination of employment. Appropriate action will also be taken to deter any such conduct in the future.

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

## Workplace Bullying

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CDU does not tolerate bullying behavior, as explained in this policy.

"Work-related bullying" is the use of force, threats, or coercion to abuse, intimidate or humiliate another employee. Work-related bullying includes, but is not limited to, the following:

- Verbal abuse, such as the use of patently offensive, demeaning, or humiliating remarks and epithets.
- Verbal or physical conduct that is threatening or obscene.
- Pushing, shoving, kicking, poking, tripping, assaulting or threatening physical assault, or intentionally damaging a person's work area or property.
- Sabotage, or deliberately subverting, obstructing, or disrupting another person's work performance.

Cyberbullying is also prohibited. "Cyberbullying" refers to bullying, as defined above, that occurs through the use of a computer, cell phone, smartphone, tablet, or other device that transmits electronic information, regardless of whether the device is owned by or located at CDU or connected to the University network.

This policy in no way prohibits employees from engaging in activities that are protected under applicable state and federal laws, including but not limited to any activity that is protected under

Section 7 of the National Labor Relations Act (NLRA), which includes the right of employees to speak with others, engage in vigorous and impassioned debate or discussion and protest about terms and conditions of their employment.

### **Reporting and Response**

Employees who are subject to or witness bullying in our work environment are encouraged to notify Human Resources immediately. CDU will promptly investigate the complaint. The University will maintain confidentiality to the extent possible, consistent with its commitment to investigating the complaint promptly and thoroughly.

If the complaint is verified, CDU will take appropriate remedial and disciplinary action, which may include but is not limited to, verbal or written warnings, suspension, termination of employment, counseling, and other actions. CDU will also report to law enforcement, if appropriate. The complaining party will be advised of the results of the investigation.

### **Anti-Retaliation**

CDU strictly prohibits retaliation against an employee for making a good-faith claim of bullying or for participating in good faith in an investigation of bullying.

## Acknowledgment and Receipt

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I acknowledge that I have received and read a copy of the CDU Employee Handbook. I understand that the Employee Handbook sets forth the terms and conditions of my employment with the University as well as the duties, responsibilities, and obligations of employment with the University. I understand that CDU has provided me various alternative channels including anonymous and confidential channels, to raise concerns of violations of this handbook and University policies and encourages me to do so promptly so that the University may effectively address such situations. I also understand that nothing herein interferes with any right to report concerns, make lawful disclosures, or communicate with any governmental authority regarding potential violations of laws or regulations.

I agree to abide by and be bound by the rules, policies, and standards outlined in the Employee Handbook.

I acknowledge that, except where required otherwise by applicable state law, my employment with CDU is at-will, meaning that it is not for a specified period of time and that the employment relationship may be terminated at any time for any reason, with or without cause or notice, by me or the University. I further acknowledge that only the President of the University or their authorized representative has the authority to enter into an agreement that alters the at-will employment relationship. Any such agreement must be in writing and signed by the President of the University or their authorized representative.

I further acknowledge that the University reserves the right to revise, delete, and add to the provisions of the Employee Handbook, but that all such revisions, deletions, or additions must be in writing. No oral statements or representations can change the provisions of the Employee Handbook. Furthermore, the University's policy of at-will employment may only be changed as stated in the prior paragraph.

I understand and acknowledge that nothing in this Employee Handbook or in any other document or policy is intended to prohibit me from reporting concerns, making lawful disclosures, or communicating with any governmental authority about conduct I believe violates any laws or regulations. I also understand and acknowledge that nothing about the policies and procedures outlined in this Employee Handbook should be construed to interfere with any employee rights provided under state or federal law, including Section 7 of the National Labor Relations Act, including the right to communicate with others concerning wages, hours, benefits and other terms or conditions of employment; to self-organize, form, join or assist labor organizations; to bargain collectively with representatives of the employees' choosing; to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection; or to refrain from engaging in such activities.

I further acknowledge that I have received, read, and understand the University's Discrimination, Harassment, and Retaliation Prevention Policy and any additional policies prohibiting discrimination, harassment, and sexual harassment in [CDREWU.edu Policies Procedures \(docs-cdrewu.cloud\)](#). I agree to comply with these policies.

I understand that if I feel I have been subject to discrimination, harassment, sexual harassment, or retaliation for conduct that may violate the University's Discrimination, Harassment and Retaliation Prevention Policy or any additional policies on antidiscrimination, harassment, sexual harassment or retaliation in [CDREWU.edu Policies Procedures \(docs-cdrewu.cloud\)](#), or if I am aware of such conduct, I should immediately report the matter to Human Resources or the Alert Line at 800-461-9330 or online at [Find Your Organization \(convercent.com\)](#)

I have read and understand the above statements.

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Employee Signature

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Print Name

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Date

**[TO BE PLACED IN EMPLOYEE'S PERSONNEL FILE]**



## Appendix

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### Jury Duty Leave - Alabama

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The University encourages all employees to fulfill their civic responsibilities and to respond to jury service summons or subpoenas, attend court for prospective jury service, or serve as a juror. Under no circumstances will employees be terminated, threatened, coerced, or penalized because they respond to a jury service subpoena, attend court for prospective jury service, or serve as a juror. Employees must, however, report to work on their next regularly scheduled hour after being dismissed from the jury.

Employees must provide their supervisor with notice of any jury summons or subpoena on the next day the employee reports to work after receiving the summons. Verification from the court clerk of having served may also be required.

Full-time employees will receive their regular compensation while serving on a jury, less any fees or compensation received for serving as a juror. For part-time employees, time spent engaged in attending court for prospective jury service or for serving as a juror is not compensable except that exempt employees will not incur any reduction in pay for a partial week's absence due to jury duty.

Employees who are absent from work while participating in the jury selection process or while serving as a juror will not be asked or required to use any vacation, sick leave, or unpaid leave (other than that provided under this policy) during the absence.

### Crime Victim Leave - Alabama

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Eligible employees may take time off from work under this policy to respond to a subpoena to testify or to participate in the reasonable preparation of a criminal proceeding if:

- The employee is a victim of the crime at issue in the proceedings, or
- The victim is killed or incapacitated and the employee is the victim's spouse, parent, child, sibling, or guardian.

Employees who are accused of a crime or are in custody for an offense are not eligible for time off under this policy.

Before employees may take time off under this policy, they must provide their supervisor with a copy of the notice scheduling the proceeding. If advance notice is not feasible, employees must provide appropriate documentation within a reasonable time after the absence.

Time off under this policy will be unpaid, except that exempt employees may receive pay as required by applicable law.

## Employment Eligibility and Work Authorization - Alabama

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CDU participates in the Electronic Verification System (E-Verify) to electronically verify the work authorization of newly hired employees. E-Verify is an internet-based program that compares information from an employee's Form I-9 to data contained in the federal records of the Social Security Administration and the Department of Homeland Security to confirm employment eligibility. The University does not use E-Verify to pre-screen job applicants.

The University is committed to honoring all terms and conditions of E-Verify. Employees who do not contest a Tentative Nonconfirmation, or who receive a Final Nonconfirmation or No Show, are subject to immediate termination of employment.

The University will not tolerate any form of discrimination or harassment prohibited by federal, state, or local law, including discriminatory treatment based on an individual's national origin or citizenship status. Employees who believe they have been subject to discrimination or harassment, including during the Form I-9 and E-Verify process, should immediately report the matter as further discussed in the policies regarding discrimination and harassment outlined in the University's Interim Non-Discrimination and Harassment in Employment Policy 501. The University prohibits retaliation against employees for making such complaints.

## Volunteer Emergency Responder Leave - Alabama

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Employees who serve as volunteer emergency workers may take time off from work or be excused for being late to work when responding to an emergency that occurred prior to the employee's regular hours of employment.

For purposes of this policy, a "volunteer emergency worker" means an individual who is not paid for their service as a volunteer firefighter, emergency medical technician, rescue squad member, volunteer deputy, or ham radio operator conducting storm spotter operations for an emergency management association.

An "emergency" includes going to, attending to, or coming from any of the following: a fire call; a hazardous or toxic materials spill and cleanup; any other situation to which a volunteer fire department has been dispatched; or an actual medical emergency to prevent the imminent loss of life.

Time off under this policy will be unpaid, except that exempt employees may receive pay as required by applicable law. Employees must make a reasonable effort to notify their supervisor that they may be absent from, or late to, work in order to respond to an emergency. The University may require an employee to submit a written statement from the supervisor or acting

supervisor of the fire department or emergency medical services stating that the employee responded to an emergency and documenting the time and date of the emergency.

The University will not terminate volunteer emergency workers who are late or fail to report, to work while responding to an emergency call.

## Time Off to Vote - Alabama

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The University encourages all employees to fulfill their civic responsibilities and to vote in public elections. Most employees' schedules provide sufficient time to vote either before or after working hours.

Employees who begin work two or more hours after the polls open or complete work at least one hour before the polls close will be deemed to have sufficient time outside of work hours to vote. When employees do not have sufficient time outside of work hours to vote, they will be provided up to one hour of time off to vote.

Time off to vote will be without pay, except that exempt employees may receive pay, as required by applicable law.

Employees must provide their supervisor with reasonable advance notice of their need for time off to vote so that time off can be scheduled to minimize disruption to normal work schedules. The University may specify the hours during which the employee may be absent.

Proof of having voted may be required.

## Election Duty Leave - Alabama

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Employees will be provided time off from work to serve as election officials. Time off under this policy will be without pay, except that exempt employees may receive pay as required by applicable law.

Employees taking leave under this policy must provide documentation of the appointment and dates of required service at least seven days prior to the leave.

## Adoption Leave - Alabama

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The University, in accordance with Alabama's Adoption Promotion Act (APA) and the federal Family and Medical Leave Act (Fed-FMLA), provides time off for eligible employees who adopt a child.

To be eligible for adoption leave under this policy, employees must: (1) have worked for the University for a total of at least 12 months; (2) have worked at least 1,250 hours over the previous 12 months, as of the start of the leave; and (3) have worked at a location where at least 50 employees are employed by the University within 75 miles, as of the date the leave is requested.

Eligible employees are allowed up to 12 weeks of unpaid leave to care for an adopted child within one year of the child being placed with the employee for adoption. See the University's Family and Medical Leave policy in the National Handbook for additional information. Employees are expected to comply with the requirements outlined in that policy, including with regard to providing notice of the need for leave.

This unpaid adoption leave cannot be taken on an intermittent basis unless the employee and the University mutually agree otherwise.

If an employee requests unpaid leave to care for an adopted child who is ill or has a disability, the University will consider the request as it would consider a comparable request due to complications that arise from the birth of an employee's child.

Employees who are adoptive parents will be allowed up to two weeks of paid leave for the care of a child placed with the employee in connection with adoption during the first year after the child's placement.

The University will not penalize any employee for exercising their rights under the APA.

For further information or to request leave under this policy, contact a Human Resources representative.

## Military Leave - Alabama

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In addition to the military leave rights outlined in the National Handbook, employees working in Alabama who are active members of the National Guard of Alabama or any other state, Alabama Naval Militia, the Alabama State Guard, the National Disaster Medical System, the Civil Air Patrol or any other reserve component of the United States armed forces are entitled to a military leave on all days that they are engaged in field or coast defense, training or other services ordered under the National Defense Act or the federal laws governing the United States military reserves.

Employees who are active members of the National Guard of Alabama or any other state enjoy the rights, privileges, and responsibilities outlined in the federal Uniformed Services Employment and Reemployment Rights Act (USERRA), whenever they are called to state active duty or more or for federally funded duty (other than training) in a time of war, armed conflict or emergency proclaimed by the Governor of Alabama or the President of the United States.

## Military Leave - Arizona

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Employees who are called to active duty, or to attend camps, maneuvers, formations, or armory drills, as a member of the National Guard of Arizona or of any other state, or the United States Armed Forces Reserves, are entitled to the same rights, privileges, benefits and protections as employees who are called to action to serve in the United States military. Accordingly, employees called to active duty or training by competent orders of any state or the United States are entitled to a leave of absence in accordance with the Military Leave Policy outlined in the University's National Handbook.

Within the timeframes provided by law, employees taking military leave must provide their supervisor notice of their intent to return to work after serving in the uniformed services to be eligible for reinstatement. Employees returning from military leave are entitled to all the rights and benefits they would have had if they had remained continuously employed. In addition, employees returning from military leave will have the same reemployment rights as if called to active duty in the United States military.

If you are a past or present member of the Uniformed Services, have applied for membership in the Uniformed Services, or are obligated to serve in the Uniformed Services, you have the right to be free from discrimination based on such status. Employees who believe they have been discriminated against based on this status should follow the complaint procedure outlined in the University's National Handbook.

## Time Off to Vote - Arizona

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The University encourages all employees to fulfill their civic responsibilities and to vote in all public elections. Most employees' schedules provide sufficient time to vote either before or after working hours.

Employees that have less than three hours outside of working hours to vote while the polls are open may take up to three hours off from work, without loss of pay to vote. Any additional time off will be without pay for nonexempt employees.

The University asks that employees request time off to vote from their supervisor at least one day prior to Election Day so that time off can be scheduled to minimize disruption to normal work schedules.

Proof of having voted may be required.

## Crime Victim Leave - Arizona

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Eligible employees may take time off from work to be present at criminal proceedings. An employee is eligible for time off under this policy if the employee is:

- A victim of the crime at issue in the proceedings; or
- The spouse, parent, child, sibling, grandparent, other relative to the second degree of affinity, or other lawful representative of a victim that was killed or incapacitated.

In addition, an eligible employee may take time off from work to obtain or attempt to obtain an order of protection, an injunction against harassment, or any other injunctive relief to help ensure the health, safety, or welfare of the victim or the victim's child.

Employees are ineligible for leave if they are accused of the crime or are in custody for the crime.

Before an employee may be absent from work for this purpose, the employee must provide their supervisor with a copy of the notice of each scheduled proceeding that is provided by the agency responsible for providing notice; a court order to which the employee is subject; or any other proper documentation, unless advance notice is not feasible.

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

Confidentiality of the situation, including the employee's request for the time off, will be maintained to the greatest extent possible if an employee requests time off for these reasons.

Employees may use accrued benefits, such as existing vacation time, sick time, personal leave time, or other accrued paid time off, in order to receive compensation during the time taken off from work.

The University will not refuse to hire, terminate, or otherwise discriminate against an employee or prospective employee for exercising any right to leave work in these circumstances under Arizona law.

## Jury Duty Leave - Arizona

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The University encourages all employees to fulfill their civic responsibilities and to respond to jury service summons or subpoenas, attend court for prospective jury service, or serve as a juror. Under no circumstances will employees be terminated, threatened, coerced, or penalized because they request or take leave in accordance with this policy.

Employees are expected to return to work if they are excused from jury duty during regular working hours.

The University may require that employees submit a copy of the summons to serve on the jury and/or proof of service upon completion of jury duty.

Time spent engaged in attending court for prospective jury service or for serving as a juror is not compensable except that exempt employees will not incur any reduction in pay for a partial

week's absence due to jury duty. Employees who are absent from work while participating in the jury selection process or while serving as a juror will not be required to use any annual, vacation, or sick leave during the absence, although employees may be permitted to do so.

## Employment Eligibility Verification - Arizona

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CDU participates in the Electronic Verification System (E-Verify) to electronically verify the work authorization of newly hired employees. E-Verify is an internet-based program that compares information from an employee's Form I-9 to data contained in the federal records of the Social Security Administration and the Department of Homeland Security to confirm employment eligibility. The University does not use E-Verify to pre-screen job applicants.

The University is committed to honoring all terms and conditions of E-Verify. Employees who do not contest a Tentative Nonconfirmation, or who receive a Final Nonconfirmation or No Show, are subject to immediate termination of employment.

The University will not tolerate any form of discrimination or harassment prohibited by federal, state, or local law, including discriminatory treatment based on an individual's national origin or citizenship status. Employees who believe they have been subject to discrimination or harassment, including during the Form I-9 and E-Verify process, should immediately report the matter as further discussed in the policies regarding discrimination and harassment outlined in the University's Handbook. The University prohibits retaliation against employees for making such complaints.

## Employment Eligibility and Work Authorization - Florida

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CDU participates in the Electronic Verification System (E-Verify) to electronically verify the work authorization of newly hired employees. E-Verify is an internet-based program that compares information from an employee's Form I-9 to data contained in the federal records of the Social Security Administration and the Department of Homeland Security to confirm employment eligibility. The University does not use E-Verify to pre-screen job applicants.

The University is committed to honoring all terms and conditions of E-Verify. Employees who do not contest a Tentative Nonconfirmation, or who receive a Final Nonconfirmation or No Show, are subject to immediate termination of employment.

The University will not tolerate any form of discrimination or harassment prohibited by federal, state, or local law, including discriminatory treatment based on an individual's national origin or citizenship status. Employees who believe they have been subject to discrimination or harassment, including during the Form I-9 and E-Verify process, should immediately report the matter as further discussed in the policies regarding discrimination and harassment outlined in the University's Interim Non-Discrimination and Harassment in Employment Policy 501. The University prohibits retaliation against employees for making such complaints.

# Employment Eligibility and Work Authorization - Georgia

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CDU participates in the Electronic Verification System (E-Verify) to electronically verify the work authorization of newly hired employees. E-Verify is an internet-based program that compares information from an employee's Form I-9 to data contained in the federal records of the Social Security Administration and the Department of Homeland Security to confirm employment eligibility. The University does not use E-Verify to pre-screen job applicants.

The University is committed to honoring all terms and conditions of E-Verify. Employees who do not contest a Tentative Nonconfirmation, or who receive a Final Nonconfirmation or No Show, are subject to immediate termination of employment.

The University will not tolerate any form of discrimination or harassment prohibited by federal, state, or local law, including discriminatory treatment based on an individual's national origin or citizenship status. Employees who believe they have been subject to discrimination or harassment, including during the Form I-9 and E-Verify process, should immediately report the matter as further discussed in the policies regarding discrimination and harassment outlined in the University's Handbook. The University prohibits retaliation against employees for making such complaints.

## Sexual and Other Unlawful Harassment Handbook Statement: Illinois

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### **Sexual and Other Unlawful Harassment**

CDU is committed to providing a work environment free of harassment. The University complies with Illinois law and maintains a strict policy prohibiting sexual harassment and unlawful discrimination against employees or applicants for employment based on their actual or perceived race (including traits associated with race, such as hair texture and protective hairstyles (e.g. braids, locks and twists)), color, religion, sex (including pregnancy, childbirth and related medical conditions), national origin, ancestry, age (40 or over), marital status, physical or mental disability, military status, sexual orientation (actual or perceived), gender identity, unfavorable discharge from military service, or citizenship status. The University will not tolerate discrimination or harassment based upon these characteristics or any other characteristic protected by applicable federal, state or local law. The University's anti-harassment policy applies to all persons involved in its operations, including contractors or consultants, and prohibits harassing conduct by any employee of CDU, including supervisors, managers and nonsupervisory employees. This policy also protects employees from prohibited harassment by third parties, such as customers, vendors, clients, visitors or temporary or seasonal workers.

All employees are expected to comply with the University's Sexual and Other Unlawful Harassment policy as set forth in the National Handbook. While the Sexual and Other Unlawful Harassment policy sets forth the University's goals of promoting a workplace that is free of

harassment, the policy is not designed or intended to limit the University's authority to discipline or take remedial action for workplace conduct that we deem unacceptable, regardless of whether that conduct satisfies the definition of unlawful harassment.

Any employee who is found to have engaged in discriminatory or harassing conduct will be subject to appropriate disciplinary action, up to and including termination. Retaliation against anyone reporting acts of harassment or discrimination, participating in an investigation, or helping others exercise their right to complain about discrimination is unlawful and will not be tolerated.

In addition to the complaint procedures set forth in the National Handbook, any employee who believes that they have been harassed or discriminated against may file a complaint with the Illinois Department of Human Rights (IDHR).

The IDHR may be reached at the following locations:

- Chicago Office: 555 West Monroe Street, Suite 700, Chicago, Illinois 60661, telephone number (312) 814-6200, (866) 740-3953 (TTY), fax number (312) 814-6251.
- Springfield Office: 524 S. 2nd Street, Suite 300, Springfield, Illinois 62701, telephone number (217) 785-5100, (866) 740-3953 (TTY), fax number (217) 785-5106.
- Website: <https://dhr.illinois.gov>. Email: [IDHR.Intake@illinois.gov](mailto:IDHR.Intake@illinois.gov).

Employees may also report their concerns to the IDHR's Illinois Sexual Harassment and Discrimination Helpline at (877) 236-7703.

## Religious Accommodation - Illinois

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Employees and applicants for employment may request a reasonable accommodation for their sincerely held religious beliefs, practices, and/or observances, including but not limited to the wearing of any attire, clothing, or facial hair in accordance with the requirements of their religion. In accordance with the Illinois Human Rights Act (IHRA), the Company will provide a reasonable accommodation unless such accommodation will impose an undue hardship on the company's business operations.

The Company will not deny employment opportunities or take adverse employment actions against employees or otherwise qualified applicants for employment based on the need to make such reasonable accommodations, nor will the Company retaliate against applicants or employees who request accommodations or otherwise exercise their rights under the IHRA. Employees who have questions about this policy or who wish to request a reasonable accommodation under this policy should contact their Human Resources representative.

## Discussion of Wages-Nevada

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No employee is prohibited from inquiring about, discussing, or voluntarily disclosing information about their own wages or the wages of another employee. The University will not terminate or otherwise discriminate against employees because they make such inquiries, discussions, or disclosures about their wages or the wages of another employee.

This policy does not apply to disclosure of other employees' wage information by employees who have access to such information solely as part of their essential job functions and discloses that information to a person who does not have access to that information. University representatives may disclose employees' wages if ordered by the Labor Commissioner or a court of competent jurisdiction.

## Sexual Harassment (New York City)

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CDU is committed to providing a work environment that is free of unlawful discrimination and harassment, including sexual harassment. The University strictly prohibits discrimination and harassment by or against any individuals involved in University operations, including employees (regardless of position), applicants, interns (paid or unpaid), vendors, contractors, sub-contractors, consultants, and any other third party involved in University operations.

If such harassment is committed in the workplace by someone not employed by the University, the reporting and complaint procedure in this policy should still be followed. The workplace includes:

- Actual worksites.
- Remote worksites.
- Any setting in which work-related business is being conducted (whether during or after normal business hours).
- University-sponsored events.
- Online, virtual, and/or electronic interactions with University employees and third parties involved in University operations.
- University-owned/controlled property.

### **Sexual Harassment Defined**

Sexual harassment is a form of gender-based discrimination that is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes unwelcome or unwanted sexual advances, requests for sexual favors, or visual, verbal, or physical conduct of a sexual nature when:

- Submission to such conduct is made a term or condition of employment;
- Submission to, or rejection of, such conduct is used as a basis for employment decisions affecting the individual; or

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment, even if the individual making the report is not the intended target of such conduct.

Under New York law, sexual harassment can also include harassment based on sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and transgender status. Discrimination based on sex stereotypes, gender expression, and perceived identity can all be forms of sexual harassment. The following is a non-exhaustive list of the types of conduct prohibited by this policy:

- Unwanted sexual advances, propositions, and/or pressure for sexual activity (including repeated and unwelcome requests for dates or romantic gestures and gift-giving).
- Offers of employment benefits in exchange for sexual favors.
- Making or threatening reprisals after a negative response to sexual advances.
- Visual conduct: leering; making sexual gestures; displaying pornographic, sexually suggestive, or sexually discriminatory images, objects, pictures, calendars, memes, videos, cartoons, graffiti, backgrounds, promotional material, reading materials, posters, or websites anywhere in the workplace, including on computers, emails, cell phones, electronic or physical bulletin boards, etc. (this extends to virtual or remote workspace and can include having such materials visible in the background of one's home during a virtual or video meeting).
- Verbal or written conduct: making or using sexist remarks or derogatory or sexually discriminatory comments, innuendos, epithets, slurs, sexually explicit jokes, whistling, suggestive or insulting sounds, lewd or sexual comments or questions about an individual's appearance, body, dress, sexuality or sexual experience; verbal and/or written abuse of a sexual nature, graphic verbal and/or written sexually degrading or sexually discriminatory commentary about an individual's body or dress, sexually suggestive or obscene letters, notes, invitations, emails, text messages, internal instant messages, and tweets or other social media postings.
- Physical conduct: unwelcome or inappropriate touching, physical violence, intimidation, assault, or impeding or blocking normal movements.
- Sex stereotyping, which includes evaluating someone's conduct or personality traits against other people's ideas or perceptions about how individuals of a particular sex or gender should act or look, and includes, but is not limited to, remarks or comments regarding an employee's gender expression or requesting that employees take on traditionally gendered roles.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, gender expression, or transgender status, such as:
  - Interfering with, destroying, or damaging a person's workstation, tools, or equipment, or otherwise interfering with the individual's ability to perform the job.
  - Sabotaging an individual's work.
  - Bullying, yelling, name-calling.
  - Intentional misuse of an individual's preferred pronouns.
  - Creating different expectations for individuals based on their perceived identities, such as dress codes that place more emphasis on women's attire.

- Retaliation for making reports or threatening to report sexual harassment.

Sexual harassment can occur regardless of the sex or gender of the person committing it or the person exposed to it.

Not intending to harass is not a defense. The impact of the harassing behavior on another person is what matters. Whether conduct is considered sexual harassment is viewed from the standpoint of the person who feels harassed, not the person whose conduct is at issue.

### **Other Types of "Discrimination or Harassment" Defined**

Discrimination or harassment on the basis of any legally protected status is prohibited, including discrimination or harassment based on race (including traits historically associated with race, such as hair texture and protective hair styles), creed, color, religion, sex (including pregnancy, childbirth, related medical conditions, or lactation needs), gender identity (actual or perceived), gender expression, transgender status, familial status, national origin or ancestry, citizenship and immigration status, physical or mental disability (including gender dysphoria), genetic information (including predisposing genetic characteristics), age (18 and over), veteran status, military status, sexual orientation, marital status, certain arrest or conviction records and status as a victim of domestic violence, or any other legally protected class in accordance with federal, state, and local laws and regulations, including an individual's known relationship or association with a member or members of a protected category.

Prohibited discrimination or harassment may include behavior similar to the illustrations above pertaining to sexual harassment, and includes, but is not limited to:

- Verbal conduct includes taunting, jokes, threats, epithets, derogatory comments, or slurs based on an individual's protected status.
- Visual and/or written conduct including derogatory posters, photographs, calendars, cartoons, drawings, websites, e-mails, text messages, memes, or gestures based on an individual's protected status.
- Physical conduct includes assault, unwanted touching, or blocking normal movement because of an individual's protected status.

### **Bystander Observation and Intervention**

Individuals who observe conduct that may violate this policy are encouraged but are not required, to take reasonable action to intervene. Methods to intervene may include interrupting the conduct, redirecting the situation to appropriate conduct, checking in with the person to whom the conduct was directed, alerting a supervisor to the situation, and making a report under this policy. Physical confrontation, violence, or assault is not an appropriate method of intervention. The intervening person must act in accordance with the University's policies.

### **Protection Against Retaliation**

Retaliation is prohibited against any person covered by this policy who, in good faith:

- Make a complaint of discrimination or harassment, either internally or with a government agency, using the complaint procedures described below.
- Objects to, opposes, or speaks out against discrimination or harassment.
- Participates in a discrimination or harassment investigation.
- Encourages another person to report discrimination or harassment.
- Files, testifies, assists, or participates in any manner in any investigation, proceeding, or hearing conducted by a governmental enforcement agency.

Prohibited retaliation includes, but is not limited to:

- Termination, demotion, suspension, failure to hire, or consideration for hire.
- Failure to give equal consideration in making employment decisions.
- Failure to make employment recommendations impartially.
- Public release of personnel files.
- Undermining an individual's immigration status.
- Adversely affecting working conditions or otherwise denying any employment benefit.

Retaliation is unlawful and a form of misconduct that will result in disciplinary action, up to and including termination of employment. Individuals who believe they or any other individual have been subjected to retaliation should report this concern using the complaint procedure set forth below.

### **Complaint Procedure**

Individuals who believe that they or another individual has been subjected to discrimination or harassment, should as soon as possible, report it to their manager, equal employment opportunity officer, or any Human Resources representative by email at [hrdept@cdrewu.edu](mailto:hrdept@cdrewu.edu). Employees are not required to make the report to their immediate supervisor, manager, or person who has engaged in the complaint of conduct. Reports of discrimination or harassment can be made verbally or in writing. To submit a complaint in writing, individuals can use the complaint form available in Human Resources but are not required to do so.

After a report is received or the University otherwise becomes aware of a possible violation of this policy, a fair, timely, thorough, and objective investigation will be started and completed as soon as possible and will reach reasonable conclusions based on the information collected. The University will maintain confidentiality surrounding the investigation to the extent possible, consistent with a thorough and objective investigation, and to the extent permitted or required under applicable law. Both the person(s) raising the complaint and the person(s) about whom the complaint was made will be permitted to provide information that may be relevant to the investigation. The University also will gather information and documentation and speak with witnesses, as applicable.

Once the investigation is completed and a determination is made, the complaining party will be advised that the investigation has been completed and may be informed of the resolution. The individual about whom the complaint was made will be informed of the outcome and, if the University determines that this policy has been violated, will be subject to disciplinary action.

The University expects all employees to fully cooperate with any investigation conducted by the University into a complaint of discrimination or harassment.

### **Supervisory Responsibilities**

All supervisors or managers who receive a complaint or information about suspected discrimination or harassment (including sexual harassment), witness behavior that may violate this policy or for any other reason suspect that discrimination or harassment prohibited by this policy is occurring, are required to report such suspected conduct to Human Resources or the Alert Line at 800-461-9330 or online at [Make a report Online Now!](#).

In addition to being subject to discipline for engaging in discriminatory or harassing conduct themselves, supervisors and managers will be subject to discipline, up to and including termination of employment, for failing to report suspected discrimination or harassment or otherwise knowingly allowing such conduct to continue. Supervisors and managers will also be subject to discipline for engaging in prohibited retaliation.

Supervisors and managers must ensure the workplace is safe, supportive, and free from retaliation against those who raise complaints or act as witnesses both during and after any investigation.

### **Discipline**

If the University determines that this policy has been violated, including in the event that a supervisor or manager knowingly allows the policy to be violated without reporting it, prompt remedial action will be taken, commensurate with the severity of the offense, up to and including termination of employment. Appropriate action will also be taken to deter any such conduct in the future.

### **Good Faith Reporting**

The initiation of a good faith complaint of discrimination, harassment, and/or retaliation will not be grounds for disciplinary or other retaliatory action, even if the allegations cannot be substantiated or the employee was mistaken about aspects of the complaint. Any individual who makes a complaint that is determined to be intentionally false may be subject to discipline, up to and including termination of employment.

### **Other Information**

Sexual harassment, as well as other types of discrimination and harassment, are illegal under the New York State Human Rights Law, Title VII of the federal Civil Rights Act of 1964, and some local laws. Employees may file a complaint with the federal Equal Employment Opportunity Commission (EEOC), the New York State Division of Human Rights, another enforcement agency (if applicable), or in certain courts of law. Agencies accept and investigate charges of discrimination and harassment, including sexual harassment. Please note that there may be deadlines applicable to filing complaints with government agencies or seeking redress in a court

of law. The EEOC has district, area, and regional offices and may be contacted by visiting [www.eeoc.gov](http://www.eeoc.gov), emailing [info@eeoc.gov](mailto:info@eeoc.gov), or by telephone at 1-800-669-4000 (TTY 1-800-669-6820). The New York State Division of Human Rights may be contacted by visiting [www.dhr.ny.gov](http://www.dhr.ny.gov), by telephone at 718-741-8400, or by mail to One Fordham Plaza, Fourth Floor, Bronx, New York 10458. The New York State Division of Human Rights also maintains a toll-free hotline that provides counseling and accepts complaints regarding workplace sexual harassment. This hotline can be reached at 1-800-427-2773.

Employees subjected to unlawful discrimination or harassment may be entitled to certain remedies, including monetary damages, civil penalties, and injunctive relief (such as an order that certain action be taken or certain behavior stop). If an employee believes they have been the victim of a crime, they may contact their local police department.

## Sexual Harassment Complaint Form- New York

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### **EMPLOYEE COMPLAINT FORM FOR REPORTING DISCRIMINATION AND HARASSMENT**

Please provide the requested information so that the Company may investigate and resolve your complaint. You are not limited to the space provided and may attach additional pages. Once you have completed this form, please provide a copy of it to Human Resources at [hrdept@cdrewu.edu](mailto:hrdept@cdrewu.edu).

Name \_\_\_\_\_ Title \_\_\_\_\_

Department/Location \_\_\_\_\_ Supervisor \_\_\_\_\_

Preferred Communication Method \_\_\_\_\_ E-mail \_\_\_\_\_ Phone \_\_\_\_\_ In-person \_\_\_\_\_

A. Complaint(s) - Please describe your complaint(s), including the name of the person(s) about whom you are complaining and when the conduct occurred. If your complaint involves specific comments, please include a description of the comments.

B. Related Material - Please list, and if possible, provide copies of, any emails, text messages, letters, notes, memos, diary entries, calendars, reports, or other items that relate to your complaint(s).

C. Persons With Information - Please list any individuals who you believe may have information about your complaint(s):

D. Prior Report(s) - Have you reported your concerns to anyone else at the Company? If so, please provide the name and position of the person to whom you reported the concerns and the date of the report.

I understand that if I become aware of additional relevant information, I must promptly provide such information to Human Resources. I also am aware that the Company prohibits retaliation against me for filing this complaint, and I agree that I will immediately report any incident I believe is retaliatory using the Company's procedures for reporting retaliation.

Employee's Signature: \_\_\_\_\_

Date completed by Employee: \_\_\_\_\_

HR or Manager Signature: \_\_\_\_\_

Date received from Employee: \_\_\_\_\_

## Discussion of Wages - New York

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### **Discussion of Wages**

No employee is prohibited from inquiring about, discussing, or disclosing their wages or the wages of another employee if voluntarily disclosed by that employee. Employees are not required to disclose their wages to anyone.

This policy does not apply to disclosure of other employees' wage information by employees who have access to such information solely as part of their essential job functions and who, while acting on behalf of the University, make unauthorized disclosure of that information. University representatives may disclose employees' wages in response to a complaint or charge, or in furtherance of an investigation, proceeding, hearing, or action under state law.

## Equal Employment Opportunity - Texas

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As set forth in the National Handbook, CDU is committed to equal employment opportunity and to compliance with federal antidiscrimination laws. We also comply with Texas law, which prohibits discrimination and harassment against any employees or applicants for employment based on race (including hair texture or protective hairstyle commonly or historically associated with race (e.g., braids, locks and twists)), color, religion, national origin, sex (including pregnancy, childbirth or related medical conditions), disability, age (40 and over), genetic information or the refusal to submit to a genetic test. The Company will not tolerate discrimination or harassment based upon these characteristics or any other characteristic protected by applicable federal, state or local law.

The Company also complies with the Texas law prohibiting sexual harassment of unpaid interns.