

EMPLOYEE HANDBOOK

EAST BAY INSTITUTE FOR RESEARCH & EDUCATION

non-profit affiliate of the VA Northern California Health Care System

WWW.EBIRE.ORG



2015 Revisions incl:

- *P. 8, Whistleblower Policy*
 - *EBIRE encourages employees to report any kind of information or activity that is deemed illegal, dishonest, or not correct.*

- *P. 14, Hiring*
 - *EBIRE's President & Executive Director's employment status is exempt from this HANDBOOK.*

- *P. 35, Sick Leave*
 - *Effective July 1st, 2015, EBIRE shall follow the "Healthy Workplaces, Healthy Families Act of 2014" (AB 1522), also known as the "California Paid Sick Leave Law."*

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General Employment Policies

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Introductory Statement

Welcome! As an employee of East Bay Institute for Research & Education (the "Company"), you are an important member of a team effort. We hope that you will find your position with the Company rewarding, challenging, and productive.

Because our success depends upon the dedication of our employees, we are highly selective in choosing new members of our team. We look to you and the other employees to contribute to the success of the Company.

This employee handbook is intended to explain the terms and conditions of employment of all full- and part-time employees and supervisors. Written employment contracts between East Bay Institute for Research & Education and some individuals may supersede some of the provisions of this handbook.

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

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Anti-Harassment

East Bay Institute for Research & Education is committed to providing a work environment free of harassment, disrespectful or other unprofessional conduct. Company policy prohibits conduct that is disrespectful, unprofessional as well as harassment based on sex (including pregnancy, childbirth, breastfeeding or related medical conditions), race, religion (including religious dress and grooming practices), color, gender (including gender identity and gender expression), national origin or ancestry, physical or mental disability, medical condition, genetic information, marital status, registered domestic partner status, age, sexual orientation, military and veteran status or any other basis protected by federal, state or local law or ordinance or regulation. **All such conduct violates company policy.** The Company's anti-harassment policy applies to all persons involved in the operation of the Company and prohibits harassment, disrespectful or unprofessional conduct by any employee of the Company, including supervisors and managers, as well as vendors, customers, independent contractors and any other persons. It also prohibits harassment, disrespectful or unprofessional conduct based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics.

Prohibited harassment, disrespectful or unprofessional conduct includes, but is not limited to, the following behavior:

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

Sexual harassment does not need to be motivated by sexual desire to be unlawful or to violate this policy. For example, hostile acts toward an employee because of his/her gender can amount to sexual harassment, regardless of whether the treatment is motivated by any sexual desire.

If you believe that you have been the subject of harassment or other prohibited conduct, bring your complaint to your own or any other Company supervisor, the president or the personnel administrator of the Company as soon as possible after the incident. You will be asked to provide details of the incident or incidents, names of individuals involved and names of any witnesses. It would be best to communicate your complaint in writing, but this is not mandatory. Supervisors will refer all complaints involving harassment or other prohibited conduct to the personnel administrator, investigative officer or the president of the Company. The Company

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will immediately undertake an effective, thorough and objective investigation of the allegations.

If the Company determines that harassment or other prohibited conduct has occurred, effective remedial action will be taken in accordance with the circumstances involved. Any employee determined by the Company to be responsible for harassment or other prohibited conduct will be subject to appropriate disciplinary action, up to, and including termination. A Company representative will advise all parties concerned of the results of the investigation. The Company will not retaliate against you for filing a complaint and will not tolerate or permit retaliation by management, employees or co-workers.

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

Whistleblower Policy

The Company encourages employees to report any kind of information or activity that is deemed illegal, dishonest, or not correct. The information of alleged wrongdoing can be classified in many ways: violation of company policy/rules, law, regulation, or threat to public interest/national security, as well as fraud, and corruption.

Those who become whistleblowers must bring information or allegations to the attention of the VANCHCS Medical Center Director, as this person also holds the position of EBIRE Board Chair. Whistleblowers shall be kept free from reprisal/retaliation from bringing their concerns forward.

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At-Will Employment Status

East Bay Institute for Research & Education personnel are employed on an at-will basis. Employment at-will means that the employment relationship may be terminated, with or without cause and with or without advance notice at any time by the employee or the Company. Nothing in this handbook shall limit the right to terminate at-will employment.

No manager, supervisor, or employee of the Company has any authority to enter into an agreement for employment for any specified period of time or to make an agreement for employment on other than at-will terms. Only the President/Executive Director of East Bay Institute for Research & Education has the authority to make any such agreement, which is binding only if it is in writing.

Nothing in this at-will statement is intended to interfere with an employee's rights to communicate or work with others toward altering the terms and conditions of his or her employment.

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Equal Employment Opportunity Five or More Employees

East Bay Institute for Research & Education is an equal opportunity employer and makes employment decisions on the basis of merit. We want to have the best available persons in every job. Company policy prohibits unlawful discrimination based on race, color, creed, gender (including gender identity and gender expression), religion (all aspects of religious beliefs, observance or practice, including religious dress or grooming practices) marital status, registered domestic partner status, age, national origin or ancestry, physical or mental disability, medical condition (including cancer or a record or history of cancer, and genetic characteristics), sex (including pregnancy, childbirth, breastfeeding or related medical condition), genetic information, sexual orientation, military and veteran status or any other consideration made unlawful by federal, state, or local laws. It also prohibits unlawful discrimination based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics. Discrimination can also include failing to reasonably accommodate religious practices or qualified individuals with disabilities where the accommodation does not pose an undue hardship.

All such discrimination is **unlawful**.

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

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

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

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

Any applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact a Company representative with day-to-day personnel responsibilities and discuss the need for an accommodation. The Company will engage in an interactive process with the employee to identify possible accommodations, if any, that will help

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the applicant or employee perform the job. An applicant or employee who requires an accommodation of a religious belief or practice (including religious dress and grooming practices, such as religious clothing or hairstyles) should also contact a Company representative with day-to-day personnel responsibilities and discuss the need for an accommodation. If the accommodation is reasonable and will not impose an undue hardship, the Company will make the accommodation.

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Right to Revise

This employee handbook contains the employment policies and practices of East Bay Institute for Research & Education in effect at the time of publication. All previously issued handbooks and any inconsistent policy statements or memoranda are superseded.

East Bay Institute for Research & Education reserves the right to revise, modify, delete, or add to any and all policies, procedures, work rules, or benefits stated in this handbook or in any other document, except for the policy of at-will employment. However, any such changes must be in writing and must be signed by the president of East Bay Institute for Research & Education.

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

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

Nothing in this at-will statement is intended to interfere with an employee's rights to communicate or work with others toward altering the terms and conditions of his or her employment.

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Hiring

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Full-Time Employees

Regular full-time employees are those who are scheduled for and do work 40 hours per week. Following the completion of the introductory period, regular full-time employees are eligible for most employee benefits described in this handbook.

EBIRE's President & Executive Director's employment status is exempt from this HANDBOOK. In lieu of this, the EBIRE Board of Directors shall establish the compensation and benefit package for this position.

Full-time employees are eligible for the following East Bay Institute for Research & Education benefits:

- holidays
- health insurance
- paid time off (PTO) for vacation and sick leave

NOTE: Effective 1/1/15, all employees are eligible to PTO following completion of the introductory period.

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Inactive Status

Employees who are on any type of leave of absence, work-related or non-work-related, that exceeds any protected state or federal leave of absence will be placed on inactive status.

Health Benefits Extension

Unless health benefits extension is covered by state or federal law, benefits will terminate according to our insurance carrier's policy. Contact the President/Executive Director for more information.

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Job Duties

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

East Bay Institute for Research & Education reserves the right, at any time, with or without notice, to alter or change job responsibilities, reassign or transfer job positions, or assign additional job responsibilities.

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Job Sharing

Job-sharing is defined as two part-time employees assigned to share the duties and responsibilities of a full-time job position. East Bay Institute for Research & Education will support job sharing where reasonable and practical and where Company operational and business needs will not be adversely affected. In order for job sharing to work, the two individuals work as a team to accomplish one full-time position's duties, communicate effectively, and ensure continuity of work.

The President/Executive Director is responsible for identifying if a job sharing arrangement is workable within his or her department. The President/Executive Director must assess the impact and outcome in terms of production, quality and absenteeism, and whether job sharing is in the best interests of the Company and employee. The President/Executive Director must also assess the overall feasibility of the job sharing arrangement. Any job sharing arrangement must receive final approval from both the President/Executive Director and the President/Executive Director. The decision as to whether to allow a job sharing arrangement is within the discretion of the Company and some jobs may be unsuitable for job sharing.

The exact details of the job share arrangement will be decided by and implemented by the manager and President/Executive Director to ensure that operational needs are met.

Job sharers must have a strong commitment to the job and to making the job sharing arrangement work. Job sharers must ensure that there is a workable communication system in place so that supervisors, co-workers, customers and/or clients can expect to communicate with both job sharers via the person on duty at the time.

Job sharing will affect your eligibility for certain benefits. Please contact the President/Executive Director for specific details. The President/Executive Director has the general responsibility of overseeing the day-to-day implementation of this job sharing policy in accordance with payroll and legal requirements.

If a job sharing position is approved, your position is part of a full time position which has been divided under a job sharing arrangement. Should your job share partner resign or transfer, your President/Executive Director and the President/Executive Director, will assess the needs of the Company and determine a course of action. The following are potential options:

- Convert the remaining job sharing partner to a full time 40-hour work week position.
- Advertise the position as a part-time job share. In the event that the position cannot be filled, the position will revert to a full-time position with the requirement that the remaining partner assume the full-time requirements of the position, including the 40-hour work week.
- Adjust the work schedule of the remaining job partner to meet office needs.
- Allow the remaining job share partner to continue working the part-time schedule.

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Job sharing arrangements will be continually evaluated and can be discontinued at any time. An approved job share agreement does not change or alter the at-will nature of the employee's employment with the Company. Employment at-will means that the employment relationship may be terminated, with or without cause and with or without advance notice at any time by the employee or the Company.

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New Hires

Completion of the introductory period does not entitle you to remain employed by East Bay Institute for Research & Education for any definite period of time. Your status as an at-will employee does not change — the employment relationship may be terminated with or without cause and with or without advance notice, at any time by you or the Company.

The first 60 days of continuous employment at East Bay Institute for Research & Education is considered an introductory period. During this time, you will learn your responsibilities, get acquainted with fellow employees and determine whether or not you are happy with your job. Your supervisor will closely monitor your performance.

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Part-Time Employees

Part-time employees are those who are scheduled for and do work fewer than 40 hours per week, but not fewer than 20 hours. Part-time employees are eligible for the following East Bay Institute for Research & Education benefits:

- pro rata holidays
- pro rata health insurance
- pro rata PTO for vacation and sick leave

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Regular Employees

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

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Temporary Employees

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

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Leaves of Absence

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Bereavement Leave

East Bay Institute for Research & Education grants leave of absence to employees in the event of the death of the employee's current spouse, registered domestic partner, child, parent, legal guardian, brother, sister, grandparent, or grandchild; or mother-, father-, sister-, brother-, son-, or daughter-in-law. An employee with such a death in the family may take up to 5 consecutive scheduled workdays off with pay with the approval of the Company. The employee's supervisor may approve additional unpaid time off.

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Domestic Violence, Sexual Assault or Stalking Leave and Accommodation

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

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

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

Employees who are victims of domestic violence, sexual assault or stalking and need a reasonable accommodation for their safety at work should contact a Company representative with day-to-day personnel responsibilities and discuss the need for an accommodation. If you are requesting such a reasonable accommodation, you will need to submit a written statement signed by you, or by an individual acting on your behalf, certifying that the accommodation is for the purpose of your safety at work.

For reasonable accommodation requests, the Company will also require certification demonstrating that you are the victim of domestic violence, sexual assault or stalking. Any of the forms of certification described above for leave purposes will suffice. The Company may request recertification every six months from the date of the previous certification. You should notify the company if an approved accommodation is no longer needed.

The Company will engage in an interactive process with the employee to identify possible accommodations, if any, that are effective and will make reasonable accommodations unless an undue hardship will result.

East Bay Institute for Research & Education will, to the extent allowed by law, maintain the confidentiality of an employee requesting leave or accommodation under these provisions.

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Extended Medical Leave

A medical leave of absence may be granted for non-work-related medical disabilities (other than pregnancy, childbirth, and related medical conditions) with a doctor's written certificate of disability. Extended disability leaves will also be considered on a case-by-case basis, consistent with the Company's obligations under federal and state disability laws.

Employees should request any leave in writing as far in advance as possible. If you are granted a medical leave, East Bay Institute for Research & Education will pay you sick pay for the period of time equivalent to your accumulated sick pay earned. You also may use any paid vacation time previously accrued.

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

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

California workers' compensation laws govern work-related injuries and illnesses. California pregnancy disability laws govern leaves taken because of pregnancy, childbirth, and related medical conditions. An employee that needs reasonable accommodations should contact a company representative with day-to-day personnel responsibilities and discuss the need for an accommodation.

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Jury Duty and Witness Leave

East Bay Institute for Research & Education encourages employees to serve on jury duty when called. Non-exempt employees who have completed their introductory periods will receive full pay while serving up to 5 days of jury duty. Exempt employees will receive full salary unless they are absent for a full week and perform no work. You should notify your supervisor of the need for time off for jury duty as soon as a notice or summons from the court is received. You may be requested to provide written verification from the court clerk of performance of jury service. If work time remains after any day of jury selection or jury duty, you will be expected to return to work for the remainder of your work schedule.

Fees Paid by the Court

You may retain any mileage allowance or other fee paid by the court for jury services.

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Military Leave

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

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Paid Time Off

Employees are entitled to paid time off based upon their years of active service. Active service commences with an employee's first day of work and continues thereafter unless broken by an absence without pay, a leave of absence, or termination of employment. Temporary and part-time employees do not accrue paid time off.

Paid time off can accrue to a maximum cap. Once this cap is reached, the employee will have a reasonable amount of time to take accrued paid time off. If no paid time off is taken during that reasonable amount of time period, no further paid time off will accrue until some paid time off is used.

Employees become eligible to take paid time off any time after the employee's first day of employment, as work schedules permit.

Employees may use accrued paid time off for paid vacation leave, paid holidays, or any other type of paid time off. Employees will need to schedule time off with their supervisors. An employee whose employment terminates will be paid for accrued, unused paid time off on a pro rata basis. Employees on unpaid leave do not accrue paid time off. Paid time off will be accrued on the following basis:

- Full-Time Employees, after initial 2 months - 4 years - employee accrues 10 days of Paid Time Off per year to a maximum of 20 days of PTO.
 - Part-Time Employees, after initial 2 months - 4 years - employee accrues 1 day of Paid Time Off per 30 hours worked, to a maximum of 20 days of PTO.
- 5- 14 years - employee accrues 15 days of Paid Time Off per year to a maximum of 30 days of PTO.
 - Part-Time Employees accrue 1 day of Paid Time Off per 30 hours worked, to a maximum of 20 days of PTO.
- 15 years and thereafter - employee accrues 20 days of Paid Time Off per year to a maximum of 40 days of PTO.
 - Part-Time Employees accrue 1 day of Paid Time Off per 30 hours worked, to a maximum of 20 days of PTO.

An employee may not use paid time off before its accrual. Employees will not be paid for any time in excess of accrued paid time off.

Required Use of PTO before Unpaid Leave

You are required to take accrued and unused Paid Time Off (PTO) before taking unpaid leave or having unpaid absences.

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Employees who are absent because of their own disability may be eligible for State Disability Insurance (SDI) benefits. SDI payments do not begin until after you have been absent from work for seven calendar days. If you have accrued PTO, PTO will be used for the first 7 days before SDI payments begin unless you are receiving wage replacement through another disability leave plan and the absence is covered by federal family and medical leave (FMLA).

SDI benefits do not replace all of your usual wages. If the absence is also covered by federal Family/Medical Leave (FMLA), you may choose to supplement your SDI benefits with PTO. If you are not eligible for FMLA, you must supplement your SDI benefits with accrued PTO.

If you are absent for a reason that qualifies you for Paid Family Leave (PFL) payments, you must use PTO during the first two weeks of absence.

PFL benefits do not replace all of your usual wages. Your PFL benefits must be/can be supplemented with any accrued and unused PTO.

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Personal Leave

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

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Pregnancy Disability Leave Five or More Employees

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

- Duration of pregnancy disability leave will be determined by the advice of the employee's physician, but employees disabled by pregnancy may take up to four months. Part-time employees are entitled to leave on a pro rata basis. The four months of leave includes any period of time for actual disability caused by the employee's pregnancy, childbirth, or related medical condition. This includes leave for severe morning sickness and for prenatal care.
- East Bay Institute for Research & Education will also reasonably accommodate medical needs related to pregnancy, childbirth, or related conditions or temporarily transfer you to a less strenuous or hazardous position (where one is available) or duties if medically needed because of your pregnancy.
- Employees who need to take pregnancy disability must inform East Bay Institute for Research & Education when a leave is expected to begin and how long it will likely last. If the need for a leave, reasonable accommodation, or transfer is foreseeable, employees must provide reasonable advance notice at least 30 days before the pregnancy disability leave or transfer is to begin. Employees must consult with the personnel manager regarding the scheduling of any planned medical treatment or supervision in order to minimize disruption to the operations of the Company. Any such scheduling is subject to the approval of the employee's health care provider;
- If 30 days' advance notice is not possible, notice must be given as soon as practical;
- Failure to give reasonable advance notice may result in delay of leave, reasonable accommodation, or transfer;
- Pregnancy leave usually begins when ordered by the employee's physician. The employee must provide East Bay Institute for Research & Education with a written certification from a health care provider for need of PDL, reasonable accommodation or transfer. The certification must be returned within 15 calendar days. Failure to do so may, in some circumstances, delay PDL leave, reasonable accommodation or transfer. The certification indicating the need for disability leave should contain:
 - A statement that the employee needs to take pregnancy disability leave because she is disabled by pregnancy, childbirth or related medical condition.
 - The date on which the employee became disabled due to pregnancy;
 - The probable duration of the period or periods of disability; and
 - If the employee needs a reasonable accommodation or transfer, a medical certification is sufficient if it contains all of the following: a description of the requested reasonable accommodation or transfer; a statement that describes the medical advisability of the reasonable accommodation or transfer because of pregnancy; and the date on which the need for reasonable accommodation or transfer became/will become medically advisable and the estimated duration of the reasonable accommodation or transfer.
- Leave returns will be allowed only when the employee's physician sends a release;
- An employee will be allowed to use accrued sick time (if otherwise eligible to take the

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time) during a pregnancy disability leave. An employee will be allowed to use accrued vacation or personal time (if otherwise eligible to take the time) during a pregnancy disability leave; and

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

If intermittent leave or leave on a reduced work schedule is medically advisable the employee may, in some instances, be required to transfer temporarily to an available alternative position that meets the employee's needs. The alternative position need not consist of equivalent duties, but must have the equivalent rate of pay and benefits. The employee must be qualified for the position. The position must better accommodate the employee's leave requirements than her regular job. Transfer to an alternative position can include altering an existing job to better accommodate the employee's need for intermittent leave or a reduced work schedule.

Upon submission of a medical certification that an employee is able to return to work from a pregnancy disability leave, an employee will be reinstated to her same position held at the time the leave began or, in certain instances, to a comparable position, if available. There are limited exceptions to this policy. An employee returning from a pregnancy disability leave has no greater right to reinstatement than if the employee had been continuously employed.

Employees on pregnancy disability leave will be allowed to continue to participate in group health insurance coverage for up to a maximum of four months of disability leave (if such insurance was provided before the leave was taken) at the level and under the conditions that coverage would have been provided if the employee had continued in employment continuously for the duration of the leave.

In some instances, an employer can recover from an employee premiums paid to maintain health coverage if the employee fails to return following pregnancy disability leave. PDL may impact other benefits or a seniority date. Please contact the personnel department for more information.

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School Appearances Involving Suspension

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

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Sick Leave

Effective July 1st, 2015, EBIRE shall follow the “*Healthy Workplaces, Healthy Families Act of 2014*” (AB 1522), also known as the “*California Paid Sick Leave Law*.”

All employees, regardless of how many hours they work for EBIRE, shall be given a lump sum of 24 hours, or three days, sick leave. To implement this new requirement, these hours shall be posted to their payroll account during the first pay period of July, i.e. July 1-15, 2015. The annual use of paid sick leave is capped at a maximum of 24 hours. As of January 1, 2016 and future calendar years, each employee's sick leave balance will be re-set to 24 hours.

Employees are eligible to begin using their accrued paid sick leave on the 90th day of their employment. Employees can determine how much sick leave to use for a particular instance.

Employees may use paid sick leave upon verbal or written request for the diagnosis, care, and treatment of an existing health condition, or as a preventative measure for themselves or for a family member. Paid sick leave may also be used by employees who are the victims of domestic or sexual violence or stalking, or whose family member is a victim of such a crime. Covered family members under this act include children, spouses, registered domestic partners, parents, step-parents, parents-in-law, grandparents, grandchildren, and siblings.

If you are absent longer than 3 days due to illness, medical evidence of your illness and/or medical certification of your fitness to return to work satisfactory to the Company may be required before the Company honors any sick pay requests. East Bay Institute for Research & Education may withhold sick pay if it suspects that sick leave has been misused.

Kin Care

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

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

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

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

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

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

Required Use of Paid Sick Leave Before Unpaid Leave

You are required to take accrued and unused paid leave before taking unpaid leave, or having unpaid absences.

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Time Off for Voting

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

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Vacation

Vacation Accrual Introductory Period

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

- 60-day introductory period = no accrual
- After initial 2 months - 4 years - employee accrues 10 days of Paid Time Off per year to a maximum of 20 days of PTO.
- 5- 14 years - employee accrues 15 days of Paid Time Off per year to a maximum of 30 days of PTO.
- 15 years and thereafter - employee accrues 20 days of Paid Time Off per year to a maximum of 40 days of PTO.

Temporary and part-time employees do not accrue paid vacation time. Regular full-time employees do not accrue vacation time during the first six months of employment. No vacation time may be taken until after completion of the first year of employment.

After completion of the initial two months of continuous employment, full-time employees begin to accrue PTO at the rate of 3.33 hours per pay period.

The Company encourages employees to take vacation annually. Vacation time must be taken within the year following accrual. Earned vacation time accrues to a maximum of 20 working days in the second through fourth years of employment; 30 working days in the fifth through 14th years of employment; and 40 working days in the 15th and following years of employment.

No additional vacation will be earned until accrued vacation time is used. Employees are responsible for tracking their accrued vacation time.

An employee whose employment terminates will be paid for accrued unused vacation days on a pro rata basis. Vacations shall be scheduled to provide adequate coverage of job responsibilities and staffing requirements. The general manager or President/Executive Director will make final determinations and must approve your vacation schedule in advance.

Required Use of Vacation Before Unpaid Leave

You are required to take accrued and unused vacation before taking unpaid leave, or having

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unpaid absences. Family and Medical Leave (under both state and federal law) is included in this requirement, unless the absence is pregnancy-related or the leave is FMLA related and you are receiving wage replacement through a disability benefit plan (regardless of whether the plan is employer provided or mandatory under state or federal law, such as state disability insurance).

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

PFL benefits do not replace all of your usual wages. Your PFL benefits will be supplemented with any accrued and unused sick leave (kin care). If you have no sick leave (kin care), or once you exhaust your sick leave, accrued and unused vacation will be used to supplement your PFL benefits.

Employees who are absent because of their own disability may be eligible for State Disability Insurance (SDI) benefits. SDI payments do not begin until after you have been absent from work for 7 calendar days. If you have accrued sick leave, sick leave will be used for the first seven days before SDI payments begin, unless you are receiving wage replacement through a disability benefit plan (regardless of whether the plan is employer provided). If you do not have accrued sick leave, but do have accrued vacation, vacation will be substituted for the unpaid absence.

SDI benefits do not replace all of your usual wages. Your SDI benefits will be supplemented with any accrued and unused sick leave, unless you are receiving wage replacement through a disability benefit plan (regardless of whether the plan is employer provided). If you have no sick leave, or once you exhaust your sick leave, accrued and unused vacation will be used to supplement your SDI benefits.

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Victims of Crime Leave

An employee who is themselves a victim or who is the family member of a victim of certain serious crimes may take time off from work to attend judicial proceedings related to the crime or to attend proceedings involving rights of the victim.

A family member of a crime victim may be eligible to take this leave if he/she is the crime victim's spouse, parent, child or sibling. Other family members may also be covered depending on the purpose of the leave.

The absence from work must be in order to attend judicial proceedings or proceedings involving rights of the victim. Only certain crimes are covered. You must provide reasonable advance notice of your need for leave, and documentation related to the proceeding may be required. If advance notice is not possible, you must provide appropriate documentation within a reasonable time after the absence.

Any absence from work to attend judicial proceedings or proceedings involving victim rights will be unpaid, unless you choose to take paid time off.

For more information regarding this leave (including whether you are covered, when and what type of documentation is required, and which type of paid time off can be used), please contact a Company representative with day-to-day personnel responsibilities.

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Volunteer Civil Service Personnel

No employee shall be disciplined for taking time off to perform emergency duty as a volunteer firefighter, peace officer, or emergency rescue personnel. Employees who perform emergency duty as a volunteer firefighter, reserve peace officer, or emergency rescue personnel may also take up to a total of fourteen days unpaid leave time per calendar year to engage in required fire, law enforcement or emergency rescue training. Please alert your supervisor that you may have to take time off for emergency duty or emergency duty training. When taking time off for emergency duty, please alert your supervisor before doing so when possible.

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Benefits

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Benefits Overview

East Bay Institute for Research & Education is committed to providing access to the following benefits for eligible employees. Benefit eligibility may be dependent upon your employee classification (full-time versus part-time, for example) and on length of continuous employment at East Bay Institute for Research & Education. Benefit eligibility requirements may also be imposed by the plans themselves.

In general, full-time employees become eligible to group benefits following their 60-day introductory period. Summary Plan Descriptions will be provided to employees during their introductory period, which describe the benefits in greater detail. For information regarding employee benefits and to answer any questions you may have contact President/Executive Director.

The Company reserves the right to modify, amend or terminate benefits and to modify or amend benefit eligibility requirements at any time and for any reason, subject to any legal restrictions.

The Company offers the following employee benefits:

- Health Insurance
- Dental Insurance
- Retirement Plan
- Workers' Compensation

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External Employee Education

Some employees may need to attend training programs, seminars, conferences, lectures, meetings, or other outside activities for the benefit of East Bay Institute for Research & Education or the individual employees. Attendance at such activities, whether required by the Company or requested by individual employees, requires the written approval of the general manager. To obtain approval, any employee wishing to attend an activity must submit a written request detailing all relevant information, including date, hours, location, cost, expenses, and the nature, purpose, and justification for attendance.

Attendance at any such event is subject to the following policies on reimbursement and compensation. For attendance at events required or authorized by the Company, customary and reasonable expenses will be reimbursed upon submission of proper receipts. Acceptable expenses generally include registration fees, materials, meals, transportation, and parking. Reimbursement policies regarding these expenses should be discussed with the general manager in advance.

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

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

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Holidays

For the 2014-15 calendar year, East Bay Institute for Research & Education observes the following paid holidays:

- January 1 (New Year's Day)
- Martin Luther King Jr.'s Birthday
- Presidents' Day
- Memorial Day
- July 4th (Independence Day)
- Labor Day
- Thanksgiving Day and the Friday after
- Christmas Eve
- Christmas Day

When a holiday falls on a Saturday or Sunday, it is usually observed on the preceding Friday or the following Monday. However, East Bay Institute for Research & Education may grant another day off in lieu of closing. Holiday observance will be announced in advance.

Each non-exempt employee's eligibility for holiday pay begins after completion of his or her trial period. To be eligible for holiday pay, you must be regularly scheduled to work on the day on which the holiday is observed and must work your regularly scheduled working days immediately preceding and immediately following the holiday, unless an absence on either day is approved in advance by your supervisor. If you are required to work on a paid scheduled holiday you will receive n/a.

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Lactation Policy

East Bay Institute for Research & Education accommodates lactating employees by providing a reasonable amount of break time to any employee who desires to express breast milk for an infant child. The break time shall, if possible, run concurrently with any break time already provided to the employee. Any break time provided to express breast milk that does not run concurrently with break time already provided to the employee shall be unpaid. However, if providing such break time would seriously disrupt the operations of our business, we may deny break time to employees who wish to express breast milk.

We will make reasonable efforts to provide employees who need a lactation accommodation with the use of a room or other private location that is located close to the employee's work area. Employees with private offices will be required to use their offices to express breast milk.

Employees who desire lactation accommodations should contact their supervisor or Human Resources to request accommodations.

Discrimination on the basis of sex includes discrimination based on breastfeeding and related medical conditions, and is unlawful.

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Paid Family Leave

Employees may be eligible for Paid Family Leave (PFL) wage replacement benefits, which are funded through payroll deductions and coordinated through the Employment Development Department. PFL provides limited compensation for up to six weeks after an unpaid, seven-day waiting period when an employee needs to take leave from work to care for a parent, parent-in-law, child, spouse, registered domestic partner, grandparent, grandchild, or sibling who is seriously ill, or for a working parent who wants time to bond with his or her newborn, foster child or newly adopted child. The PFL program does not provide employees with a right to a leave of absence; it is limited to a state-mandated wage replacement benefit.

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Workers' Compensation

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

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

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

- Immediately report any work-related injury to your supervisor;
- Seek medical treatment and follow-up care if required;
- Complete a written *Employee's Claim for Workers' Compensation Benefits* (DWC Form 1) and return it to President/Executive Director; and
- Provide the Company with a certification from your health care provider regarding the need for workers' compensation disability leave, as well as your eventual ability to return to work from the leave.

Upon submission of a medical certification that an employee is able to return to work after a workers' compensation leave, the employee under most circumstances will be reinstated to his or her same position held at the time the leave began, or to an equivalent position, if available. An employee returning from a workers' compensation leave has no greater right to reinstatement than if the employee had been continuously employed rather than on leave. For example, if the employee on workers' compensation leave would have been laid off had he or she not gone on leave, or if the employee's position has been eliminated or filled in order to avoid undermining the Company's ability to operate safely and efficiently during the leave, and no equivalent or comparable positions are available, then the employee would not be entitled to reinstatement.

An employee's return depends on his or her qualifications for any existing openings. If, after returning from a workers' compensation disability leave, an employee is unable to perform the essential functions of his or her job because of a physical or mental disability, the Company's obligations to the employee may include reasonable accommodation, as governed by the Americans with Disabilities Act.

The law requires East Bay Institute for Research & Education to notify the workers' compensation insurance company of any concerns of false or fraudulent claims.

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Company-Provided Physician

East Bay Institute for Research & Education provides medical treatment for work-related injuries through a medical provider network, Kaiser Permanente which the company has chosen to provide medical care to injured employees because of their experience in treating work-related injuries.

Paid Sick Leave and Workers' Compensation Benefits

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

Any further medical treatment will be under the direction of the health care provider. Any absences from work for follow-up treatment, physical therapy or other prescribed appointments will not be paid as time worked. If you have accrued and unused sick leave, and the time off is not covered by federal family and medical leave (FMLA), the additional absences from work will be paid with the use of sick leave. If the absences are covered by FMLA, you may choose to substitute sick leave for any time that would otherwise be unpaid.

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

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Management

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Employee Property

An employee's personal property, including but not limited to lockers, packages, purses, and backpacks, may be inspected upon reasonable suspicion of unauthorized possession of East Bay Institute for Research & Education property, possession of dangerous weapons or firearms, or abuse of the Company's drug and alcohol policy.

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Employment of Relatives

Relatives of employees may be eligible for employment with East Bay Institute for Research & Education only if individuals involved do not work in a direct supervisory relationship, or in job positions in which there is a conflict of interest. The Company defines "relatives" as spouses, registered domestic partners, children, siblings, parents, in-laws, and step-relatives. Present employees who marry or become registered domestic partners will be permitted to continue working in the job position held only if they do not work in a direct supervisory relationship with one another or in job positions involving conflict of interest.

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Names and Addresses Policy

East Bay Institute for Research & Education is required by law to keep current all employees' names and addresses. Employees are responsible for notifying the Company in the event of a name or address change.

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Open-Door Policy

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

- Within a week of the occurrence, bring the situation to the attention of your immediate supervisor, who will then investigate and provide a solution or explanation.
- If the problem persists, you may present it to the personnel manager, who will investigate and provide a solution or explanation. While a written complaint will assist us in investigating your concerns, it is not required that you put your complaint in writing. If you need assistance with your complaint, or you prefer to make a complaint in person, contact the President/Executive Director OR Board Secretary/Treasurer. We encourage you to bring the matter to the personnel manager as soon as possible after you believe that your immediate supervisor has failed to resolve it.
- If the problem is not resolved, you may present the problem to the president of East Bay Institute for Research & Education, who will attempt to reach a final resolution.

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

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Performance Evaluations

Each employee will receive periodic performance reviews conducted by his or her supervisor. Your first performance evaluation will take place after completion of 60-day introductory period. Subsequent performance evaluations will be conducted annually, on or about the anniversary date of your employment with EBIRE. The frequency of performance evaluations may vary depending upon length of service, job position, past performance, changes in job duties, or recurring performance problems.

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

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Personnel Records

You have a right to inspect or receive a copy of the personnel records that East Bay Institute for Research & Education maintains relating to your performance or to any grievance concerning you. Certain documents may be excluded or redacted from your personnel file by law, and there are legal limitations on the number of requests that can be made.

Any request to inspect or copy personnel records must be made in writing to the President/Executive Director. You can obtain a form for making such a written request from the President/Executive Director.

You may designate a representative to conduct the inspection of the records or receive a copy of the records. However, any designated representative must be authorized by you in writing to inspect or receive a copy of the records. East Bay Institute for Research & Education may take reasonable steps to verify the identity of any representative you have designated in writing to inspect or receive a copy of your personnel records.

The personnel records may be made available to you either at the place where you work or at a mutually agreeable location (with no loss of compensation for going to that location to inspect or copy the records). The records will be made available no later than 30 calendar days from the date East Bay Institute for Research & Education receives your written request to inspect or copy your personnel records (unless you/your representative and East Bay Institute for Research & Education mutually agree in writing to a date beyond 30 calendar days but no later than 35 calendar days from receipt of the written request).

If you request a copy of the contents of your file, you will be charged the actual cost of copying.

Disclosure of personnel information to outside sources, other than your designated representative, will be limited. However, East Bay Institute for Research & Education will cooperate with request from authorized law enforcement or local, state, or federal agencies conducting official investigations and as otherwise legally required.

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Telecommuting

Telecommuting provides employees with an opportunity to work from an alternative work environment instead of in the primary location of the Company. Telecommuting must be pre-approved by an employee's supervisor and cannot be initiated without a *Telecommuting Agreement*.

East Bay Institute for Research & Education retains the right in its sole discretion to designate positions that are appropriate for telecommuting and approve employees for telecommuting. Telecommuting must be approved by an employee's supervisor. Telecommuting does not change the conditions of employment or required compliance with all Company policies and procedures. The Company reserves the right to change or terminate the *Telecommuting Agreement* at any time, without cause or advance notice. An employee's ability to work under a Telecommuting Agreement rests in the sole discretion of the Company. Telecommuting is a privilege and may not be appropriate for all employees. If an employee wishes to request a *Telecommuting Agreement*, s/he should contact his or her supervisor and ask for a *Telecommuting Request* form.

Telecommuting Safety

The Telecommuter is solely responsible for ensuring the safety of his or her alternative work environment. However, because the Company is legally obligated to provide its employees with a workplace that is free from hazards that might cause serious harm or injury, the Company reserves the right to periodically inspect the Telecommuter's home work space. Any such inspection will be preceded by advance notice and an appointment will be scheduled. Telecommuters are protected by the Company's workers' compensation insurance. As such, Telecommuters are required to immediately report any injuries that occur while working.

The Telecommuter shall be liable for any injuries that occur to third parties at or around the Telecommuter's alternative work environment.

Telecommuting Plan

All Telecommuters will be required to sign a *Telecommuting Agreement* with their supervisor that outlines the days and work hours (as applicable) of the Telecommuter; equipment the Telecommuter will need; how the Telecommuter will communicate with the Company; use of support or secretarial staff; and other appropriate information.

Hours of Work

Unless otherwise agreed in the *Telecommuting Agreement*, hours and days of work will not change. Employees agree to apply themselves during work hours. Telecommuting is not intended as a substitute for child care or care for another adult. If a child or adult needs care

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during work time, another responsible individual is expected to be present.

Attendance at Meetings

Telecommuters are expected to attend all required meetings.

Costs Associated with Telecommuting

The Company shall not incur additional costs due to a *Telecommuting Agreement*. The *Telecommuting Agreement* will specify any costs the Company will cover. All other expenses are the responsibility of the Telecommuter.

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Workplace Privacy

Employees may not use any audio or video recording devices in work areas or in the course of conducting business.

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Company Property

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Employer Property

Lockers, furniture, desks, computers, cell phones, data processing equipment/software, vehicles, and

- Company records
- Company procedures
- Approved grants

are East Bay Institute for Research & Education property and must be maintained according to Company rules and regulations. They must be kept clean and are to be used only for work-related purposes. East Bay Institute for Research & Education reserves the right to inspect all Company property including computer or phone data or messages to ensure compliance with its rules and regulations, without notice to the employee and at any time, not necessarily in the employee's presence. Prior authorization must be obtained before any Company property may be removed from the premises.

Company voice mail and/or electronic mail (e-mail) including texting, pagers and mobile email are to be used for business purposes. East Bay Institute for Research & Education reserves the right to monitor voice mail messages, and e-mail messages, and texts to ensure compliance with this rule, without notice to the employee and at any time, not necessarily in the employee's presence.

East Bay Institute for Research & Education may periodically need to assign and/or change "passwords" and personal codes for

- email
- voice mail
- computers

These communication technologies and related storage media and databases are to be used only for Company business and they remain the property of East Bay Institute for Research & Education.

East Bay Institute for Research & Education reserves the right to keep a record of all passwords and codes used and/or may be able to override any such password system. Messages on the company voice-mail and email systems are subject to the same company policies against discrimination and harassment as are any workplace communications. Offensive, harassing or discriminatory content in such messages will not be tolerated.

For security reasons, employees should not leave personal belongings of value in the workplace. Terminated employees should remove any personal items at the time they leave East Bay Institute for Research & Education. Personal items left in the workplace are subject to

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disposal if not claimed at the time of an employee's termination.

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Housekeeping

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

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Employee Conduct

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Business Conduct and Ethics

No employee may accept a gift or gratuity from any customer, vendor, supplier, or other person doing business with East Bay Institute for Research & Education because doing so may give the appearance of influencing business decisions, transactions or service. Please discuss expenses paid by such persons for business meals or trips with the Company in advance.

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Confidential Information

Each employee is responsible for safeguarding the confidential information obtained during employment.

In the course of your work, you may have access to confidential information regarding East Bay Institute for Research & Education, its suppliers, its customers, or perhaps even fellow employees. You have a responsibility to prevent revealing or divulging any such information unless it is necessary for you to do so in the performance of your duties. Access to confidential information should be on a "need-to-know" basis and must be authorized by your supervisor. Any breach of this policy will not be tolerated and legal action may be taken by the Company.

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Conflicts of Interest

A conflict of interest, a.k.a. “self-dealing transaction,” may exist when the interests or concerns of a board member and/or key staff could be seen as competing with the interests or concerns of EBIRE. There are a variety of situations that raise conflict of interest concerns, including but not limited to the following:

1. Financial Interests

A conflict may exist where an interested party directly or indirectly benefits or profits as a result of a decision, policy or transaction made by EBIRE. Examples include situations where:

- i. EBIRE contracts to purchase or lease goods, services or properties from an interested party;
- ii. EBIRE offers employment to an interested party, other than a person who is already employed by EBIRE;
- iii. An interested party is provided with a gift, gratuity or favor of a substantial nature from a person or entity that does business or seeks to do business with EBIRE;
- iv. An interested party is gratuitously provided use of EBIRE’s facilities, property or services; or
- v. EBIRE adopts a policy that financially benefits an interested party.

Note that a financial interest is not necessarily a conflict of interest. A financial conflict of interest exists only when the board decides a person with a financial interest has a conflict of interest.

2. Other Interests

A conflict may exist where an interested party obtains a non-financial benefit or advantage that he/she would not have obtained absent his/her relationship with EBIRE. Examples include:

- i. An interested party seeks to obtain preferential treatment by EBIRE or recognition for himself/herself or another interested party;
- ii. An interested party seeks to make use of confidential information obtained from EBIRE for his/her own benefit (not necessarily financial) or for the benefit of another interested party;
- iii. An interested party seeks to take advantage of an opportunity or enables another interested person or other organization to take advantage of an opportunity that he/she has reason to believe would be of interest to EBIRE; or
- iv. EBIRE adopts a policy that provides a significant non-financial benefit to an interested party.

3. Disclosure of Potential Conflicts of Interest

An interested party is under a continuing obligation to disclose any potential conflict of interest as soon as it is known or reasonably should be known.

An interested party shall complete the Conflict of Interest form to fully and completely disclose the material facts about any potential conflicts of interest. The disclosure statement and Affirmation of Compliance shall be submitted upon his/her association with EBIRE, and shall be reviewed annually thereafter. An additional disclosure statement shall be filed whenever a potential conflict of interest arises.

Disclosure statements will be submitted as follows: For board members, the disclosure statements shall be provided to the EBIRE Executive Director. Copies shall be available for review to the Secretary/Treasurer of the Board.

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In the case of staff with significant decision-making authority, the disclosure statements shall be provided to the Executive Director. In the case of the Executive Director, the disclosure statement shall be provided to the Secretary/Treasurer of the Board.

In all cases, the recipient is the designated reviewing official responsible for bringing potential conflicts to the Board's attention. The Executive Director shall file copies of all disclosure statements with EBIRE's official corporate records.

4. Procedures for Review of Potential Conflicts

Whenever there is a reason to believe that a potential conflict of interest exists between EBIRE and a Board member or the Executive Director, the Board of Directors shall determine the appropriate response. This shall include, but not necessarily be limited to, invoking the procedures described below with respect to a specific proposed action, policy or transaction. The designated reviewing official has a responsibility to bring a potential conflict of interest to the attention of the Board promptly for action at the next regular board meeting or during a special meeting called specifically to review the potential conflict of interest.

5. Procedures for Addressing Conflicts of Interest

Where a potential conflict exists between EBIRE's interests and an interested party the Board of Directors shall consider the matter during a meeting of the Board. The following procedures shall apply:

- i. An interested party who has a potential conflict of interest with respect to a proposed action, policy or transaction shall not participate in any way in, or be present during, the deliberations and decision-making vote of the Board with respect to such action, policy or transaction. However, the interested party shall have an opportunity to provide factual information about the proposed conflict of interest and/or action, policy or transaction. Also the Board may request that the interested party be available to answer questions.
- ii. The other members of the Board may approve the proposed action, policy or transaction upon finding that it is in EBIRE's best interests. The Board shall consider whether the terms of the proposed action, transaction or policy are fair and reasonable to EBIRE and whether it would be possible, with reasonable effort, to find a more advantageous arrangement with a party or entity that is not an interested party.
- iii. Approval by the other members of the Board shall be by vote of a majority of Directors in attendance at a meeting at which a quorum is present. An interested party shall not be counted for purposes of determining whether a quorum is present, or for purposes of determining what constitutes a majority vote of Directors in attendance.
- iv. The minutes of the meeting shall reflect that the conflict disclosure was made to the Board, the vote taken, and, where applicable, the abstention from voting and participation by the interested party. Whenever possible, the minutes should frame the decision of the Board in such a way that it provides guidance for consideration of future conflict of interest situations.
- v. It is EBIRE's policy to refrain from hiring subordinates with a financial, social, familial or romantic relationship with any employee or board member.

All employees must avoid situations involving actual conflict of interest. Personal or romantic involvement with a competitor, supplier, or subordinate employee of East Bay Institute for Research & Education, which impairs an employee's ability to exercise good judgment on behalf of the Company, can create an actual conflict of interest. Supervisor-subordinate romantic or

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personal relationships also can lead to supervisory problems, possible claims of sexual harassment, and morale problems.

An employee involved in any of the types of relationships or situations described in this policy should immediately and fully disclose the relevant circumstances to his or her immediate supervisor, or any other appropriate supervisor, for a determination about whether an actual conflict exists. If an actual conflict is determined, East Bay Institute for Research & Education may take whatever corrective action appears appropriate according to the circumstances. Failure to disclose facts shall constitute grounds for disciplinary action.

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Customer Relations

Employees are expected to be polite, courteous, prompt, and attentive to every customer. When an employee encounters an uncomfortable situation that he or she does not feel capable of handling, the general manager should be called immediately.

Ours is a service business and all of us must remember that the customer always comes first. Our customers ultimately pay all of our wages. Remember, while the customer is not always right, the customer is never wrong.

Customers are to be treated courteously and given proper attention at all times. Never regard a customer's question or concern as an interruption or an annoyance. You must respond to inquiries from customers, whether in person or by telephone, promptly and professionally.

Never place a telephone caller on hold for an extended period. Direct incoming calls to the appropriate person and make sure the call is received.

Through your conduct, show your desire to assist the customer in obtaining the help he or she needs. If you are unable to help a customer, find someone who can.

All correspondence and documents, whether to customers or others, must be neatly prepared and error-free. Attention to accuracy and detail in all paperwork demonstrates your commitment to those with whom we do business.

Never argue with a customer. If a problem develops or if a customer remains dissatisfied, ask your supervisor or the general manager to intervene.

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Dress Codes and Other Personal Standards

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

Because each employee is a representative of East Bay Institute for Research & Education in the eyes of the public, each employee must report to work properly groomed and wearing appropriate clothing. Employees are expected to dress neatly and in a manner consistent with the nature of the work performed. Employees who report to work inappropriately dressed may be asked to clock out and return in acceptable attire.

Acceptable clothing includes “business casual” attire. Jeans or slacks with holes or ‘distressed look,’ t-shirts, tank or halter tops are not permitted for any employees. All clothing should be clean and without rips or holes.

Any deviations from these guidelines must be approved by your supervisor.

Employees who need a reasonable accommodation because of religious beliefs, observances or practices should contact a company representative with day-to-day personnel responsibility and discuss the need for accommodation.

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Drug and Alcohol Abuse

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

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

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

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

Violation of these rules and standards of conduct will not be tolerated. East Bay Institute for Research & Education also may bring the matter to the attention of appropriate law enforcement authorities.

In order to enforce this policy, East Bay Institute for Research & Education reserves the right to conduct searches of Company property or employees and/or their personal property, and to implement other measures necessary to deter and detect abuse of this policy.

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

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

East Bay Institute for Research & Education will encourage and reasonably accommodate employees with alcohol or drug dependencies to seek treatment and/or rehabilitation. Employees desiring such assistance should request a treatment or rehabilitation leave. The Company is not obligated, however, to continue to employ any person whose performance of

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

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News Media Contacts

Employees may be approached for interviews or comments by the news media. Only contact people designated by the President/Executive Director and/or Board of Directors may comment to news reporters on East Bay Institute for Research & Education policy or events relevant to East Bay Institute for Research & Education.

This policy does not limit an employee's right to discuss the terms and conditions of his or her employment, or to try and improve these conditions.

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Off-Duty Conduct

While East Bay Institute for Research & Education does not seek to interfere with the off-duty and personal conduct of its employees, certain types of off-duty conduct may interfere with the Company's legitimate business interests. For this reason, employees are expected to conduct their personal affairs in a manner that does not adversely affect the Company's or their own integrity, reputation or credibility.

Off-duty conduct by an employee that directly conflicts with the Company's essential business interests and disrupts business operations will not be tolerated.

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Political Activity

Many employees participate in political activities on their own time. Company time, facilities, property or equipment (including all computers, networks, and electronic equipment) must not be used for an employee's outside political activities. East Bay Institute for Research & Education will not reimburse any employee for political contributions, and employees should not attempt to receive or facilitate such reimbursements.

Absent a formal statement by East Bay Institute for Research & Education announcing any political endorsements, employees must not, through their own actions, speech, contributions, or written communication, mislead others to believe that East Bay Institute for Research & Education officially endorses or opposes any candidates for political office that East Bay Institute for Research & Education itself has not publicly announced. Company employees are entitled to their own personal position.

The Company will not discriminate against employees based on their lawful political activity engaged in outside of work.

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Prohibited Conduct

Employees are expected to conduct themselves in a manner to further the Company's objectives. The following conduct is prohibited and will not be tolerated by East Bay Institute for Research & Education. This list of prohibited conduct is illustrative only; other types of conduct that threaten security, personal safety, employee welfare and Company operations also may be prohibited and will result in disciplinary action up to and including termination.

- Falsifying employment records, employment information, or other Company records;
 - Inefficient or careless performance of job responsibilities or inability to perform job duties satisfactorily;
 - Recording the work time of another employee or allowing any other employee to record your work time, or falsifying any time card, either your own or another employee's;
 - Theft and deliberate or careless damage or destruction of any Company property, or the property of any employee or customer;
 - Removing or borrowing Company property without prior authorization;
 - Unauthorized use or misuse of Company equipment, time, materials, or facilities;
 - Provoking a fight or fighting during working hours or on Company property;
 - Participating in horseplay or practical jokes on Company time or on Company premises;
 - Carrying firearms or any other dangerous weapons on Company premises at any time;
 - Engaging in criminal conduct whether or not related to job performance;
 - Causing, creating, or participating in a disruption of any kind during working hours on Company property;
 - Insubordination, including but not limited to failure or refusal to obey the orders or instructions of a supervisor or member of management, or the use of abusive or threatening language toward a supervisor or member of management;
 - Using abusive, threatening or intimidating language at any time on Company premises;
 - Failing to notify a supervisor when unable to report to work;
 - Unreported absence of 3
 - Failing to obtain permission to leave work for any reason during normal working hours;
 - Failing to observe working schedules, including rest and lunch periods;
 - Failing to provide a physician's certificate when requested or required to do so;
 - Sleeping or malingering on the job;
 - Making or accepting personal telephone calls, including cell phone calls, of more than three minutes in duration during working hours, except in cases of emergency or extreme circumstances;
 - Working overtime without authorization or refusing to work assigned overtime;
 - Violation of dress standards;
 - Violating any safety, health, security or Company policy, rule, procedure or violation of the Company's drug and alcohol policy;
 - Committing a fraudulent act or a breach of trust under any circumstances;
 - Committing of or involvement in any act of unlawful harassment of another individual;
- and

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- Failing to promptly report work-related injury or illness.

This statement of prohibited conduct does not alter the Company's policy of at-will employment. Either you or East Bay Institute for Research & Education remain free to terminate the employment relationship at any time, with or without reason or advance notice.

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Prohibited Use of Company Cell Phone While Driving

In the interest of the safety of our employees and other drivers, East Bay Institute for Research & Education employees are prohibited from using cell phones (including all smart phones) while driving on Company business and/or Company time.

If your job requires that you keep your cell phone turned on while you are driving, you must use a hands-free device. Under no circumstances should employees place phone calls while operating a motor vehicle while driving on Company business and/or Company time. The Company recommends preprogramming frequently used numbers into your phone rather than looking up numbers before dialing them. Violating this policy is a violation of law and a violation of Company rules.

Writing, sending, or reading text-based communication - including text messaging, instant messaging, e-mail, web browsing and use of smart phone applications - on any wireless device or cell phone while driving is also prohibited under this policy unless the device is specifically designed and configured to allow voice-operated and hands-free operation to dictate, send, or listen, and it is used in that manner while driving.

Violating this policy is a violation of law and a violation of Company rules.

Employees Under Age 18

A person under the age of 18 years is prohibited from driving a motor vehicle while using a wireless telephone, even if equipped with a hands-free device, or while using a mobile service device. The prohibition would not apply to such a person using a wireless telephone or a mobile service device for emergency purposes. Violating this policy is a violation of law and a violation of Company rules.

Writing, sending, or reading text-based communication - including text messaging, instant messaging, e-mail, web browsing and use of smart phone applications - on a wireless device or cell phone while driving is also prohibited under this policy. Violating this policy is a violation of law and a violation of Company rules.

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Punctuality and Attendance

As an employee of East Bay Institute for Research & Education, you are expected to be punctual and regular in attendance. Any tardiness or absence causes problems for your fellow employees and your supervisor. When you are absent, your assigned work must be performed by others.

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

If you are unable to report for work on any particular day, you must under all but the most extenuating circumstances call your supervisor at least one hour before the shift begins before the time you are scheduled to begin working for that day. If you call less than one hour before the shift begins before your scheduled time to begin work and do not arrive in time for your assigned shift, you will be considered tardy for that day. In all cases of absence or tardiness, employees must provide their supervisor with an honest reason or explanation. Employees also must inform their supervisor of the expected duration of any absence. Excessive absenteeism or tardiness will not be tolerated. East Bay Institute for Research & Education defines excessive absenteeism as more than [6] days absence in a [3] month period.

If you fail to report for work without any notification to your supervisor and your absence continues for a period of 3, East Bay Institute for Research & Education will consider that you have voluntarily abandoned or quit your employment.

Absences protected by state and federal law do not count as a violation of this policy.

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Wages

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Wages

Regular employee's wages are determined based on qualifications, and will be established through a confidential discussion with the President/Executive Director.

Advances

East Bay Institute for Research & Education does not permit advances against paychecks or against un-accrued vacation.

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Expense Accounts

East Bay Institute for Research & Education reimburses employees for business expenses within two weeks following the month expenses were experienced of each month. Employees who have expense accounts or who have incurred business expenses must submit required receipts and the mileage tracking or travel reimbursement to President/Executive Director no later than the 30 days following the month expenses were experienced of each month.

If you have any questions about the Company's expense reimbursement policy, contact President/Executive Director.

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Meal and Rest Periods

Rest Breaks

All nonexempt employees are entitled to rest break periods during their workday. If you are a nonexempt employee, you will be paid for all such break periods, and you will not clock out. You are required to remain on the work premises during your rest break(s). You are expected to return to work promptly at the end of any rest break.

You will be authorized and permitted one (1) 10-minute net rest break for every four (4) hours you work (or major fraction thereof, which is defined as any amount of time over two [2] hours). A rest break need not be authorized for employees whose total daily work time is less than three and one half (3.5) hours.

If you work a shift from three and one-half (3.5) to six (6) hours in length you will be entitled to one (1) ten-minute rest break. If you work more than six (6) hours and up to 10 hours, you will be entitled to two (2) ten-minute rest breaks. If you work more than 10 hours and up to 14 hours, you will be entitled to three (3) ten-minute rest breaks.

Timing of Rest Breaks

You are authorized and permitted to take a rest break in the middle of each four hour work period.

Your rest break will be scheduled by President/Executive Director

Meal Period

All nonexempt employees will be provided an uninterrupted unpaid meal period of at least 30 minutes if you work more than five (5) hours in a workday. You must clock out for your meal period. You will be permitted a reasonable opportunity to take this meal period, and you will be relieved of all duty. During your meal period, you are free to come and go as you please and are free to leave the premises. You are expected to return to work promptly at the end of any meal period.

Timing of Meal Period

Your meal period will be provided no later than the end of your fifth hour of work. For example, if you begin work at 8:00 a.m., you must start your meal period by 12:59 p.m. (which is before the end of your fifth hour of work).

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Your meal period will be scheduled by employee

Second Meal Period

If you work more than 10 hours in a day, you will be provided a second, unpaid meal period of at least 30 minutes. Again, you must clock out for your meal period. You will be permitted a reasonable opportunity to take this meal period, and you will be relieved of all duty. There will be no control over your activities during your meal period. During your meal period, you are free to leave the premises and are free to come and go as you please. You are expected to return to work promptly at the end of any meal period.

Timing of Second Meal Period

This second meal period will be provided no later than the end of your 10th hour of work. For example, if you begin work at 8:00 a.m., you must start your second meal period by 5:59 p.m. (which is before the end of your tenth hour of work).

Your second meal period will be scheduled by employee.

Recording Meal Periods

You must clock out for any meal period and record the start and end of the meal period.

Employees are not allowed to work "off the clock." All work time must be accurately reported on your time record.

If for any reason you are not provided a meal period in accordance with our policy, or if you are in any way discouraged or impeded from taking your meal period or from taking the full amount of time allotted to you, please immediately notify President/Executive Director.

Anytime you miss a meal period that was provided to you (or you work any portion of a provided meal period), you will be required to report to President/Executive Director and document the reason for the missed meal period or time worked.

Please also refer to the East Bay Institute for Research & Education Timekeeping Policy.

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Overtime for Nonexempt Employees

Employees may be required to work overtime as necessary. Only actual hours worked in a given workday or workweek can apply in calculating overtime. East Bay Institute for Research & Education will attempt to distribute overtime evenly and accommodate individual schedules. All overtime work must be previously authorized by a supervisor. East Bay Institute for Research & Education provides compensation for all overtime hours worked by non-exempt employees in accordance with state and federal law as follows:

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

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Timekeeping Requirements

All nonexempt employees are required to use a time card to record time worked for payroll purposes. All time worked must be accurately reported on your time record.

Employees must record their own time at the start and at the end of each work period.

Employees are not allowed to work "off the clock." Working off the clock violates company policy.

Employees will be required to certify that their time record is accurate.

Any handwritten marks or changes on the timecard must be initialed by a supervisor. Punching another employee's timecard, allowing another employee to punch your timecard, or altering a timecard is not permissible and is subject to disciplinary action.

Any errors on your timecard should be reported immediately to your supervisor.

Please also refer to East Bay Institute for Research & Education's Meal and Rest Break Policy.

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Work Schedules

East Bay Institute for Research & Education is normally open for business between the hours of 8:30 am to 5:00 pm, Monday-Friday. Your supervisor will assign your individual work schedule. All employees are expected to be at their desks or workstations at the start of their scheduled shifts, ready to work.

Exchanging work schedules with other employees is discouraged. However, if you need to exchange schedules, notify your supervisor, who may authorize an exchange if possible. Work schedule exchanges will not be approved for the mere convenience of an employee or if the exchange interferes with normal operations or results in excessive overtime.

The workweek begins at 12:01 a.m. Sunday and ends at midnight on Saturday.

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Safety and Health

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Employees Who Are Requested to Drive

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

East Bay Institute for Research & Education participates in a system that regularly checks state Department of Motor Vehicles (DMV) records of all employees who drive as part of their job.

East Bay Institute for Research & Education retains the right to transfer to an alternative position, suspend, or terminate an employee whose license is revoked, or who fails to maintain personal automobile insurance coverage or who is uninsurable under the Company's policy.

Employees who drive their own vehicles on Company business will be reimbursed at the prevailing IRS rate per mile.

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Ergonomics

East Bay Institute for Research & Education is subject to Cal/OSHA ergonomics standards for minimizing workplace repetitive motion injuries. The Company will make necessary adjustments to reduce exposure to ergonomic hazards through modifications to equipment and processes and employee training. The Company encourages safe and proper work procedures and requires all employees to follow safety instructions and guidelines.

East Bay Institute for Research & Education believes that reduction of ergonomic risk is instrumental in maintaining an environment of personal safety and well-being, and is essential to our business. We intend to provide appropriate resources to create a risk-free environment. If you have any questions about ergonomics, please contact President/Executive Director.

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Health and Safety

All employees are responsible for their own safety, as well as that of others in the workplace. To help us maintain a safe workplace, everyone must be safety-conscious at all times. Report all work-related injuries or illnesses immediately to your supervisor or to the human resources department. In compliance with California law, and to promote the concept of a safe workplace, East Bay Institute for Research & Education maintains an Injury and Illness Prevention Program. The Injury and Illness Prevention Program is available for review by employees and/or employee representatives in the general manager's office.

In compliance with Proposition 65, East Bay Institute for Research & Education will inform employees of any known exposure to a chemical known to cause cancer or reproductive toxicity.

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Recreational Activities and Programs

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

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Security

East Bay Institute for Research & Education has developed guidelines to help maintain a secure workplace. Be aware of persons loitering for no apparent reason in parking areas, walkways, entrances and exits, and service areas. Report any suspicious persons or activities to security personnel. 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 facilities as well as the welfare of our employees depends upon the alertness and sensitivity of every individual to potential security risks. You should immediately notify your supervisor when unknown persons are acting in a suspicious manner in or around the facilities, or when keys, security passes, or identification badges are missing.

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

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Workplace Violence

East Bay Institute for Research & Education has adopted the following workplace violence policy to ensure a safe working environment for all employees.

The Company has zero tolerance for acts of violence and threats of violence. Without exception, acts and threats of violence are not permitted. All such acts and threats, even those made in apparent jest, will be taken seriously, and will lead to discipline up to and including termination.

Possession of non-work related weapons on Company premises and at Company-sponsored events shall constitute a threat of violence.

It is every employee's responsibility to assist in establishing and maintaining a violence-free work environment. Therefore, each employee is expected and encouraged to report any incident which may be threatening to you or your co-workers or any event which you reasonably believe is threatening or violent.

You may report an incident to any supervisor or manager.

A threat includes, but is not limited to, any indication of intent to harm a person or damage Company 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:

Example	Type of Threat
Saying, "Do you want to see your next birthday?"	Indirect
Writing, "Employees who kill their supervisors have the right idea."	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	Acts of violence

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

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Termination

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Employee References

All requests for references must be directed to the President/Executive Director. No other manager, supervisor, or employee is authorized to release references for current or former employees.

By policy, East Bay Institute for Research & Education discloses only the dates of employment and the title of the last position held of former employees. If you authorize the disclosure in writing, East Bay Institute for Research & Education also will inform prospective employers of the amount of salary or wage you last earned.

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Involuntary Termination and Progressive Discipline

Violation of East Bay Institute for Research & Education policies and rules may warrant disciplinary action. The Company has a system of progressive discipline that may include verbal warnings, written warnings, and suspension. The system is not formal, and East Bay Institute for Research & Education may, in its sole discretion, utilize whatever form of discipline is deemed appropriate under the circumstances, up to, and including, immediate termination of employment. The Company's policy of progressive discipline in no way limits or alters the at-will employment relationship.

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Voluntary Resignation

Voluntary resignation results when an employee voluntarily quits his or her employment at East Bay Institute for Research & Education, or fails to report to work for three consecutively scheduled workdays without notice to, or approval by, his or her supervisor. All Company-owned property, including vehicles, keys, uniforms, identification badges, and credit cards, must be returned immediately upon termination of employment.

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Confirmation of Receipt

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Confirmation of Receipt

I have received my copy of the Company's employee handbook. I understand and agree that it is my responsibility to read and familiarize myself with the policies and procedures contained in the handbook.

I understand and agree that nothing in the employee handbook creates or is intended to create a promise or representation of continued employment and that employment at East Bay Institute for Research & Education is employment at-will; employment may be terminated at the will of either the Company or myself. My signature certifies that I understand that the foregoing agreement on at-will status is the sole and entire agreement between East Bay Institute for Research & Education and myself concerning the duration of my employment and the circumstances under which my employment may be terminated. It supersedes all prior agreements, understandings, and representations concerning my employment with East Bay Institute for Research & Education.

I understand that except for employment at-will status, any and all policies or practices can be changed at any time by the Company. East Bay Institute for Research & Education reserves the right to change my hours, wages, and working conditions at any time. I understand and agree that other than the president of East Bay Institute for Research & Education, no manager, supervisor, or representative of the Company has authority to enter into any agreement, express or implied, for employment for any specific period of time, or to make any agreement for employment other than at-will; only the president has the authority to make any such agreement and then only in writing, signed by the president.

Employee's Signature _____

Employee's Printed Name _____

Date _____