

Operational Policy and Procedure

PAID SICK LEAVE PART-TIME EMPLOYEES

Purpose:

The purpose of this policy is to define the terms and conditions of leave accrual for part-time employees.

Definitions:

Part-time Employee: A part-time employee is any employee hired as a part-time, seasonal, or temporary employee, including student employees and retired annuitants, and whose employment is not otherwise covered by a collective bargaining agreement or employee handbook which provides a sick leave accrual and use benefit that meets or exceeds the provisions of this policy.

Policy:

Eligibility: In order to be eligible for paid sick leave, a part-time employee must have been employed or is anticipated to be employed for at least 30 calendar days during the fiscal year.

Accrual: Paid sick leave is accrued at the rate of three (3) days (24 hours) per fiscal year and is allotted in full at the time of hire, subject to meeting the eligibility requirement stated above. Unused sick leave may be carried over from fiscal year to fiscal year; however, the maximum accrual of sick leave available for use at any time shall not exceed six (6) days (48 hours). An employee's sick leave shall cease accrual upon reaching the maximum accrual and shall not accrue additional sick leave the following fiscal year until the leave balance falls below the maximum accrual limit.

Acceptable Use: Eligible employees may use accrued sick leave beginning with the first date of hire for the following purposes:

- Diagnosis, treatment, or care of an existing health condition of, or preventive care for, an employee.
- Diagnosis, treatment, or care of an existing health condition of, or preventive care for, an employee's immediate family member.
 - Immediate family includes parent, child, spouse, domestic partner (registered or by affidavit of the employee on file with the district), parent-in-law, sibling, grandchild, or grandparent.
- An employee who is a victim of domestic violence, sexual assault, or stalking, as described by California Labor Code sections 230(c) and 230.1(a).

Verification: a supervisor may request verification of the absence in instances of suspected abuse, or whenever a pattern of absences or an extended absence occurs. Extended absence is any absence of 3 or more consecutive days. In addition, certification of the employee's ability to return to work may be required in any instance where assurance is needed to certify that the employee's return does not pose a health or safety risk to the employee or others in the workplace.

Break in Service: any employee who leaves employment with the district and returns to active employment status within one year (12 months) shall have his/her previously accrued but unused leave balances reinstated, provided such balances are still available and have not

otherwise been paid out or converted to service credit under the provisions of a covered state retirement system allowance. Part-time employees shall be eligible to accrue additional days upon rehire, in accordance with the provisions of this policy.

Donation of Sick Leave: sick leave accrual for part-time employees does not allow for the transfer from or acceptance of transferred sick leave to a part-time employee.

Transfer of Sick Leave: A part-time employee who accepts an appointment to a classified, academic, or administrator position shall have his/her accrued but unused sick leave transferred to his/her new appointment.

Established May 2015

References

AB 1522 – Healthy Workplaces, Health Families Act of 2014

Labor Code section 230(c)

Labor Code section 230.1(a)

Labor Code section 2810.5

Labor Code section 245 et seq.

Education Code 88191

Education Code 87781



Office of Human Resources and Equal Opportunity
12345 El Monte Road, Los Altos Hills, CA 94022

DRUG-FREE WORK PLACE POLICY

In compliance with federal law, this information is provided to all employees, including student employees, regarding the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in the workplace.

District Policy:

Any employee convicted of a violation of any federal or state criminal drug statute is required to report that conviction to the Director of Human Resources within 5 days of the conviction.

It is the policy of the District to impose appropriate disciplinary sanctions on employees for the unlawful possession, use or distribution of illicit drugs or alcohol. Appropriate disciplinary sanctions may include requiring the employee to participate satisfactorily in a drug-abuse assistance or rehabilitation program and may also include suspension or termination. The standards of conduct and sanctions applicable to employees are contained in Board Policy 4500 and in applicable collective bargaining agreements or employee handbooks.

Definitions:

"Workplace" means any location where an employee performs assigned duties on behalf of the District.

"Controlled Substance" means a controlled substance defined in Schedules I through V of Section 202 of the Controlled Substances Act, 21 U.S.C. 812.

"Controlled Substance Offense," as used in Education Code Section 87405, means any one or more of the following offenses:

- a. Any offense in Sections 11350 to 11355, inclusive, (offenses involving controlled substances formerly classified as narcotics), 11366 (opening or maintenance of unlawful places), 11368 (forged or altered prescriptions), 11377 to 11382, inclusive, (offenses involving controlled substances formerly classified as restricted dangerous drugs), and 11550 (unlawful acts) of the California Health and Safety Code.
- b. Any offenses committed or attempted in any other state or against the laws of the United States, which if committed or attempted in this state, would have been punished as one or more of the above- mentioned offenses.
- c. Any offense committed under former Sections 11500 to 11503, inclusive, 11557, 11715, and 11721 of the California Health and Safety Code.
- d. Any attempt to commit any of the above-mentioned offenses.

"Conviction" means a finding of guilt, including a plea of nolo contendere, or an imposition of sentence or both by any judicial body charges with the responsibility to determine violations of federal or state criminal drug statutes.

Dangers of Drugs in the Workplace: The use of drugs and alcohol may pose significant health risks, dependency, disability and death, and may result in apathy, impaired judgment, lack of concentration and coordination, absenteeism, injuries, illness, ineffective supervision and destruction of property.

Available Assistance: If you are a full-time employee, drug and alcohol counseling is available to you through the District's Employee Assistance Program. Information is available from the District Office of Human Resources. All employees may also receive information on referrals to drug or alcohol counseling and rehabilitation programs from the Health Offices located at each College.



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Mandatory Reporter Obligations

Statement Pursuant To Penal Code Section 11166.5

(Child Abuse and Neglect Reporting Act)

Penal Code Section 11166.5 requires as a prerequisite to employment that all persons who enter into employment after January 1, 1985, certify, by signing this statement, that they have knowledge of Penal Code Section 11166 and will comply with its provisions.

Section 11166 of the Penal Code requires any child care custodian, health practitioner, or employee of a child protective agency who has knowledge of or observes a child in his or her professional capacity or within the scope of his or her employment whom he or she knows or reasonably suspects has been the victim of a child abuse to report the known or suspected instance of child abuse to a child protective agency immediately or as soon as practically possible by telephone and to prepare and send a written report thereof within 36 hours of receiving the information concerning the incident.

“Child” means a person under the age of 18 years.

“Child care custodian” includes **teachers, administrative officers, supervisors of child welfare and attendance, or certificated pupil personal employees of any public or private school**; administrators of a public or private day camp; **licensed day care workers**; administrators of community care facilities licensed to care for children; head-start teachers; licensing workers or licensing evaluators; public assistance workers; employees of a child care institution including, but not limited to, foster parents, group home personnel, and personnel of residential care facilities; and social workers or probation officers.

“Health practitioner” includes physicians and surgeons, psychiatrists, **psychologists, dentists**, residents, interns, podiatrists, chiropractors, **licensed nurses, dental hygienists**, or any other person who is licensed under Division 2 (commencing with Section 500) of the Business and Professional Code; state or county public health employees who treat minors for venereal disease or any other condition; coroners; paramedics; marriage, family or child **counselors**; and religious practitioners who diagnose, examine, or treat children.

No child care custodian, health practitioner, or employee of a child protective agency who reports a known or suspected instance of child abuse shall be subject to any sanction for making the report.

Any person who fails to report an instance of child abuse which he or she knows to exist or reasonably should know to exist, as required by this article, is guilty of a misdemeanor and is punishable by confinement in the county jail for a term not to exceed six months or a fine of one thousand dollars (\$1,000) or by both.

For complete Child Abuse and Neglect Reporting Act language see California Penal Code 11164 – 11174.3 at <http://leginfo.legislature.ca.gov/>

Designation to Receive Warrants

The text of Government Code Section 53245 is as follows:

53245. 'Any person now or hereafter employed by a county, city, municipal corporation, district, or other public agency may file with his/her appointing power a designation of a person who, notwithstanding any other provision of law, shall, on the death of the employee, be entitled to receive all warrants or checks that would have been payable to the decedent had he/she survived. The employee may change the designation from time to time. A person so designated shall claim such warrants or checks from appointing power. On sufficient proof of identity, the appointing power shall deliver the warrants or checks to the claimant. A person who receives a warrant or check pursuant to the section is entitled to negotiate it as if he/she were the payee.

If you wish to file an Affidavit of Designation to Receive Warrants, please advise the Foothill Student Employment Coordinator or the FHDA Human Resources Department.



**FOOTHILL-DE ANZA
Community College District**

DATE: September 3, 2013
TO: All Employees
FROM: Marsha Kelly, Director of Risk Management
SUBJECT: Injury and Illness Prevention

General Safety Guidelines

Foothill-De Anza Community College District has an illness and injury prevention program. This program is intended to provide a safe productive work environment. Each employee receives a copy of the attached General Safety Guidelines and signs verification that he/she understands the program and will comply with it. Please note that these general safety guidelines apply to all employees of the District. Your department may have additional safety considerations. Please check with your supervisor concerning such requirements.

Work Injuries:

In the event of an on-the-job injury, all District employees must first report to the Campus Health Services Office. If Health Services is closed or if the injury requires further medical treatment, employees must go for initial diagnosis and treatment to:

Cupertino Medical Center (CMC) Occupational Medicine
10050 Bubb Road
Cupertino, CA 95014-4132
Phone: (408) 996-8656 Fax: (408) 996-7465
Hours of Operation: Monday – Friday 8:00 a.m. to 5:00 p.m.

Your personal medical doctor may not treat you unless you have placed a memo in your personnel file prior to the injury denoting treatment by your named physician. In the event of a major medical emergency requiring immediate attention, please go to the nearest emergency center, hospital or clinic. Thank you for your cooperation. If you have any questions or comments, please do not hesitate to contact the Risk Management Office at extension 6131.

FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT
GENERAL SAFETY GUIDELINES

1. All work related injuries and illness must be reported to the immediate supervisor as soon as possible after an employee becomes aware of the injury or illness.
2. Employees shall use extreme care and consideration in performing their duties to see that they do not cause injury to others or create work hazards that could cause injury to others.
3. Employees should not attempt to lift heavy or bulky objects. Doing so could cause injury to the back or other body parts. When in doubt, please seek assistance from Plant Services (ext. 6156), or Custodial Services on your campuses.
4. Personal equipment, such as extension cords, chemicals, or electrical heaters should not be brought to the school without the permission of your supervisor or Plant Services.
5. Using electrical heaters to provide warmth for extended periods of time can cause building fires. Employees are discouraged from using electric heaters. Alternative means should be found for providing building heat over the cooler months.
6. Plant Services (ext. 6122) must be notified as soon as possible if a fire extinguisher has been used, so that it can be recharged or replaced.
7. When a piece of equipment or a facility becomes defective, it should either be removed from service or reported to department technicians or Plant Services so that repairs can be made. Failure to report facility conditions can result in injuries. A "Safety Report" form is included in this packet.
8. Food and liquid spills must be wiped up immediately.
9. Employees should never attempt to repair electrical equipment or appliances. Defective equipment should be removed from service and technicians notified to make the proper repairs.
10. Cabinets can be very dangerous if used improperly. Opening two drawers simultaneously can cause a file cabinet to crash to the floor. Whenever possible, cabinets should be bolted together in tandem or secured to the wall.
11. Flammable liquids such as duplicating fluid should always be stored in UL – approved cabinets or by other appropriate means described by the fire department. If in doubt, call Plant Services at 6122. Flammable liquids should never be left out on an open counter; an earthquake could cause a spill or possible fire. All storage should be ventilated to the outside.

12. For earthquake safety, heavy objects should be stored on lower shelves while lighter and less dangerous items can be stored on middle and upper shelves.
13. Bookshelves, storage cabinets, and other elevated storage areas should be well secured, securely bolted to the wall, or secured as a unit in such a way to reduce tipping in an earthquake.
14. Defective furniture, worn carpets, defective stairs, loose handrails, and other facilities defects that create accident hazards should be reported to Plant Services so repairs can be completed. If possible, remove the object from service.
15. Extension cords/electrical cords should never be run under rugs or floor mats.
16. All employees should take the time BEFORE an emergency to read the emergency procedures in place for responding to fires, earthquakes, or first aid emergencies. Flip charts of emergency procedures are posted in classrooms and offices throughout the District.
17. Hazard communications where individuals must use chemicals and toxic materials in the course of their work is an important responsibility dictated by CAL OSHA. The Hazard Communication law dictates that Material Safety Data Sheets (MSDS) be kept in the work area, and be easily accessible for ready reference.

All employees who work with or around hazardous materials should be familiar with the requirements and responsibilities of the management of hazardous materials as indicated in the department's Hazardous Materials Management Plan. Questions about hazardous materials should be directed to Plant Services (ext. 6122).

18. All employees should know the location of fire extinguishers and have some familiarity with their use. If necessary, specific training can be given by Plant Services, (ext. 6122).
19. Employees should NEVER eat, drink or use personal items in the lab areas.