The Associated Students Incorporated

Employee Handbook

Effective Date: May 10, 2002

1.0 INTRODUCTION

1.1 About This Handbook

The ASI Employee Handbook contains information about employment policies of this corporation. This handbook is designed to acquaint the employee with the ASI and provide information about working conditions, employee benefits, and the policies affecting employment. The policies are in effect at the time of publication. All previously issued handbooks and any inconsistent policy statements or memoranda or other ASI documents are superseded. All employees should read, understand, and comply with all provisions of the handbook.

As the ASI continues to change and grow the need may arise from time to time, as deemed appropriate, to make changes to or develop new policies. ASI, with the authorization of the ASI Executive Committee, reserves the right to revise, supplement or rescind any policies or portions of this handbook or any other ASI documents. All such revisions, modifications, deletions, or additions must be in writing and be signed by the ASI President. No oral statements or representations can change or alter the provisions of this handbook. Employees will be notified in writing of such changes in the handbook as they occur.

Policies set forth in this handbook are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between the ASI and any of its employees. The provisions of the handbook have been developed at the discretion of the ASI.

If you have any questions or concerns about this handbook or any other ASI policy, please consult the ASI General Manager.

1.2 Annual Acknowledgement and Agreement

Employees will be asked to acknowledge their understanding and compliance with the policies contained in this handbook within two weeks of becoming employed by ASI and then annually thereafter.
2.0 EMPLOYMENT

2.1 At Will

All ASI employees, exempt and non-exempt, management and administrative, full and part time, comparable and non-comparable, casual and student staff serve at will and at the pleasure of the General Manager and/or ASI Senate. Employees can be discharged at any time, with or without notice or cause.

2.2 Equal Employment Practices

In order to provide equal employment and advancement opportunities to all individuals, employment with the ASI will be based on merit, qualifications, and abilities. The ASI does not discriminate in employment opportunities or practices on the basis of race, color, creed, religion, sex, gender, national origin or ancestry, age, physical or mental disability, veteran status, marital status, medical conditions, sexual orientation, genetic information or characteristics, or any other characteristic protected by law.

To comply with applicable laws ensuring equal employment opportunities, any applicant or employee with a disability who requires an accommodation in order to perform essential functions of the job should inform the ASI General Manager and request that accommodations be made. The ASI will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship.

2.3 Employment Categories

It is the intent of the ASI to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship at-will at any time is retained by both the employee and the ASI.

Each employee is designated as either NONEXEMPT or EXEMPT from federal and state wage and hour laws. NONEXEMPT employees are entitled to overtime pay under the specific provisions of federal and state laws. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws.

MANAGEMENT (EXEMPT) Generally, they are eligible for the ASI benefit package, subject to the terms, conditions, and limitations of each benefit program.

REGULAR FULL-TIME employees are those who are not assigned temporary status and who are regularly scheduled to work the ASI’s full time schedule of 40 hours per week. Generally, they are eligible for the ASI benefit
package, subject to the terms, conditions and limitations of each benefit program. These positions can be exempt or non-exempt depending on the position.

PART-TIME employees are those who are not assigned temporary status and who are regularly scheduled to work less than 40 hours per week. While they do receive all legally mandated benefits, generally they are ineligible for all of the other ASI benefit programs. These positions can be exempt or non-exempt depending on the position.

TEMPORARY employees are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified in writing of a change. While temporary employees receive all legally mandated benefits, generally they are ineligible for all of the other ASI benefit programs. These positions can be exempt or non-exempt and may be full-time or part-time depending on the position.

STUDENT EMPLOYEES are those who work on a part-time basis, not to exceed 20 hours per week while they are enrolled in the University at a minimum of a half-time basis and regularly attending classes at CSUDH. They are paid an hourly rate and have the option to claim exemption from paying Social Security while regularly enrolled at the University (with proof of enrollment). Student employees may make arrangements with the General Manager to work during non-academic periods. Then they may work up to 40-hours per week While student employees receive legally mandated benefits (such as workers' compensation insurance and Disability Insurance), they are ineligible for all of the other ASI benefit programs.

WORK-STUDY STUDENT employees are those who are hired to work a part-time schedule not to exceed 20 hours per week and whose compensation is supplemented by a financial aid work-study grant. While they do receive all legally mandated benefits, generally they are ineligible for all of the other ASI benefit programs.

2.4 Business Ethics and Conduct

The success of the ASI is dependent upon the students' trust. Employees have a duty to the ASI, its student and alumni members, the university community and its neighbors to act in a way that will merit the continued trust and confidence of the public.

The ASI will comply with all applicable laws and regulations. Additionally, ASI expects its employees to conduct business in accordance with the letter, spirit and
intent of all relevant laws and to refrain from any illegal, dishonest or unethical conduct.

In general, the use of good judgment will guide you with respect to acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with your immediate supervisor.

Compliance with this policy of business ethics and conduct is the responsibility of every ASI employee. Disregarding or failing to comply with this standard of business ethics and conduct could lead to disciplinary action, up to and including termination of employment.

2.5 Conflicts of Interest

Assignments.

ASI desires to avoid situations in which actual or potential conflicts of interest may exist. To implement this objective, ASI will attempt to avoid assignments that involve actual or potential conflicts of interest, as well as working relationships involving relatives or individuals with close personal relationships.

In keeping with this policy, relatives of employees and individuals with whom employees reside will not be eligible for employment with ASI in any situation where potential problems of supervision, safety, security or morale exist. For purposes of this policy, relatives include an employee's parent, child, spouse, brother or sister, or a stepparent, stepchild, stepbrother or stepsister. Relatives also include any parent, child, brother or sister of an employee's spouse. As noted above, the policy is not limited to relatives and applies to other situations involving actual and potential conflicts of interest.

If two employees become subject to the restrictions of this policy after they are hired, one or both of the employees must seek a transfer or reassignment that eliminates the actual or potential conflict of interest as specified in this policy. Any question regarding this conflict of interest policy should be directed to the ASI General Manager, or the University President's Designee to ASI.

3.0 EMPLOYMENT RECORDS

3.1 Employment Applications

The ASI relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in exclusion of the
individual from further consideration for employment or, if the person has been hired, termination of employment.

3.2 Background Checks And Investigations

ASI must maintain a safe and productive workplace with honest, trustworthy, qualified, reliable and non-violent employees who do not present a risk of serious harm to their co-employees or others. To that end, ASI may perform, or request that third parties perform, “background checks” or other types of investigations.

Background checks and investigations performed for ASI may include the use of consumer reporting agencies, which may gather and report information to ASI in the form of consumer or investigative consumer reports. Such reports may contain information concerning your credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living. The type of reports that may be requested from consumer reporting agencies under this policy include, but are not limited to, credit reports, criminal records checks, court records checks, driving records, and/or summaries of educational and employment records and histories. The information contained in these reports may be obtained by a consumer reporting agency from private or public records sources or through personal interviews with your co-workers, neighbors, friends, associates, current or former employers, or other personal acquaintances.

Therefore, ASI may request consumer reports, including records checks and investigative reports based on interviews, in connection with your application for employment, or at any time during the course of your employment with ASI, for purposes of evaluating your suitability for employment, promotion, reassignment or retention as an employee. ASI may also obtain such reports, both during and after your employment, for purposes of evaluating, investigating, or enforcing compliance with ASI policies or in connection with responding to grievances or complaints, regardless of whether you are still in the employ of ASI at the time the report is requested.

Employees are expected to cooperate fully with this policy. Such cooperation includes, among other things, providing truthful and complete information on your employment application and in response to inquiries made by ASI or third party investigators during the course of investigations and to providing appropriate written authorizations that may be required by law so that ASI may obtain complete investigation reports. Failure to cooperate in these respects, or any attempt to interfere with ASI’s implementation of this policy will result in discipline, up to and including termination from employment.
3.2 Access to Personnel Files

The ASI maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, records of training, appraisals, salary increases and other employment records.

Personnel files are the property of the ASI, and access to the information they contain is restricted. Only authorized persons may review personnel files.

Employees who wish to review their own file should contact the ASI General Manager to access the file. The file may only be viewed in the presence of the individual person appointed to maintain the files.

3.3 Personnel Data Changes

It is the responsibility of each employee to promptly notify the ASI General Manager of any changes in personnel data. Personal mailing addresses, telephone numbers and names of individuals to be contacted in the event of an emergency, and other such status reports should be accurate and current at all times. If any personnel data has changed, notify the ASI General Manager.

3.4 Performance Evaluation

For any job description of any job classification, the following will universally be considered essential functions of the job (in addition to any others deemed essential by ASI) and will always be considered major factors in any performance evaluation: regular and reliable attendance; the ability to respond positively to direction and criticism of performance; the ability to work productively and harmoniously with others on a consistent basis; and the consistent maintenance of professional and appropriate demeanor.

Formal performance evaluations are conducted annually by the appropriate supervisor to provide both supervisor and employee the opportunity to discuss job tasks, recognize and encourage strengths, identify and correct weaknesses, and talk about positive, purposeful approaches for meeting ASI goals.

4.0 BENEFITS

4.1 Introductory Statement

This section of the handbook will acquaint employees with some of the significant features of the ASI benefit program. However, it is important to remember that more detailed information is in the official plan documents and insurance policies that govern the plans. Accordingly, if there is any real or apparent conflict between the brief summaries contained in this manual and terms, conditions,
limitations or exclusions of the official plan documents, the provisions of the official plan documents will control. ASI may modify or eliminate its benefits plan in accordance with applicable law and plan documents.

4.2 Insured Benefits

Required for all employees:
- Short Term (State) Disability Insurance
- Worker's Compensation
- Social Security (Regularly enrolled students are excluded)
- Unemployment Insurance

Available, depending on certain employment conditions (see employee definitions) and funding availability:
- Retirement
- Health Insurance
- Dental Insurance
- Vision Insurance
- Life Insurance

Further information is available through the General Manager.

4.3 Non-Insured Benefits

4.31 Sick Leave

ASI provides sick leave to protect the employee from loss of income for those times when the employee is too ill to work. It may also be used for preventative medical and dental care. There is no limit to the amount of sick leave that can be accrued. On termination, an employee is not paid for unused sick leave. Eligible employees accrue sick leave at the rate of one day a month for full-time employees and on a pro-rated basis for less than full time. Sick leave cannot be used until after one month of continuous service and the leave has been accrued (sick leave accrual is credited at the end of each month).

A written verification from a doctor that an employee is able to return to work may be required for any absences of longer than three days. Additionally, the General Manager may request a doctor's verification at any time regardless of length of absence.

Sick pay is available only in the case of actual illness or injury of an employee or the employee's spouse, children, domestic partner or child of a domestic partner who reside in the employee's household, a death in the immediate family, or family care due to childbirth or adoption. Sick pay benefits are available beginning with the first hour away from the job due to illness or injury. Sick leave may be used in
increments of not less than one half hour per period absence. Sick leave is not charged for holidays falling within the period of sick leave.

All accumulated sick leave may be carried from one year to the next. Employees may not use sick leave in excess of what is accumulated. However, under unusual circumstances, the General Manager may allow an employee paid leave when accumulated sick leave credits have been exhausted.

4.32 Vacation Benefits

It is the intent of the ASI’s vacation policy to provide eligible employees with a period of paid rest away from work. Vacation benefits begin to accrue to eligible employees from their first day of employment and may be used as accrued after six months of continuous employment.

Employees may not use vacation credit in excess of what is accumulated (vacation accruals are credited at the end of each month.) Vacations are taken at the mutual convenience of the employee and the General Manager, except when it is necessary for the General Manager to require vacation to be taken at a specific time in accord with the needs of the ASI or for budgetary reasons. All vacation must be approved in advance by the General Manager. A Request for Absence Form should be completed by the employee and submitted to the General Manager 30 days in advance. Vacation may be used in half-hour increments, but not less. Vacation leave is not charged for holidays falling within the period of vacation leave. Eligible employees must be on pay status a minimum of 50% in a given month to accrue vacation benefits for that month. Vacation is credited at the same percentage of time as worked that month. The ASI’s schedule of vacation earnings and maximum accrual rate is as follows:

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<tr>
<th>LENGTH OF SERVICE</th>
<th>ACCRUAL RATE</th>
<th>MAXIMUM ACCRUAL</th>
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<tbody>
<tr>
<td>0 - 3 years (1 - 36 months)</td>
<td>10 days/year, 6.67 hours/month</td>
<td>20 days/year</td>
</tr>
<tr>
<td>3 - 6 years (37 - 72 months)</td>
<td>15 days/year, 10 hours/month</td>
<td>30 days/year</td>
</tr>
<tr>
<td>6 -15 years (73 -180 months)</td>
<td>20 days/year, 13.34 hours/month</td>
<td>40 days/year</td>
</tr>
<tr>
<td>15 + years (181+ months)</td>
<td>24 days/year, 16 hours/month</td>
<td>48 days/year</td>
</tr>
<tr>
<td>Management Employees(ME)</td>
<td>24 days/year, 16 hours/month</td>
<td>48 days/year</td>
</tr>
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absence. The employee is expected to report for work whenever the court schedule permits.

4.4 LEAVES OF ABSENCE

4.41 Pregnancy-Related Leave

ASI will grant an unpaid pregnancy disability leave to employees disabled on account of their pregnancy, childbirth, or related medical conditions. Employees who are affected by pregnancy or a related medical condition are also eligible to transfer to a less strenuous or hazardous position or to less strenuous or hazardous duties, if such a transfer is medically advisable and certified as such by an attending physician.

A. Leave Available

An employee disabled due to pregnancy, childbirth, or related medical condition may take up to a maximum of four months leave. As an alternative, ASI may transfer the employee to a less strenuous or hazardous position if the employee so requests, with the advice of her physician, if the transfer can be reasonably accommodated.

Leave taken under the pregnancy disability policy runs concurrently with family and medical leave under federal law, but not with family and medical leave under California law.

B. Notice And Certification Requirements

Employees requesting to take a pregnancy disability leave must provide ASI with a certification from a health-care provider.

C. Compensation During Leave

Pregnancy disability leaves are without pay. However, employees may utilize accrued vacation time and any other accrued paid time off during the leave. All such payments will be coordinated with any state disability or other wage reimbursement benefits for which the employee may be eligible. At no time shall an employee receive a greater total payment than the employee's regular salary.

D. Benefits During Leave

If the employee taking pregnancy disability leave is eligible for leave under the federal or state family and medical leave laws, ASI will maintain the group health insurance coverage for up to a maximum of 12 workweeks per 12-month period if such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. In some instances, ASI may recover premiums it paid to maintain health coverage for
an employee who fails to return to work following pregnancy disability leave. If ineligible under the federal and state family and medical leave laws, employees on pregnancy disability leave or short-term disability leaves will receive continued paid coverage on the same basis as employees taking other leaves.

Employees on pregnancy disability leave who do not receive continued paid coverage, may continue their group health insurance coverage through ASI in conjunction with federal COBRA guidelines by making monthly payments to ASI for the amount of the relevant premium. Employees should contact the ASI General Manager for further information.

E. Reinstatement

Upon the submission of a medical certification from a health care provider that an employee is able to return to work, the employee will, in most circumstances, be offered the same position held at the time of the leave or an equivalent position. However, an employee is not entitled to any greater right to reinstatement than if the employee had been employed continuously rather than on leave. For example, if the employee would have been laid off if she had not gone on leave, then the employee would not be entitled to reinstatement. Similarly, if the employee’s position has been filled in order to avoid undermining ASI’s ability to operate safely and efficiently while the employee was on leave, and there is no equivalent position available, then reinstatement would be denied.

4.42 Military Leave

ASI provides military leaves of absence to employees who serve in the uniformed services as required by the Uniformed Services Employment and Reemployment Rights Act of 1994 and applicable state laws.

4.43 School Leave (Suspension)

If it is necessary for an employee who is the parent or guardian of a child to attend the child’s school to discuss possible suspension, the employee should alert his or her supervisor as soon as possible so that alternative arrangements may be made. Pursuant to California Labor Code Section 230.7, no discriminatory action will be taken against the employee for taking time off for this purpose. Such time off is unpaid.

4.44 Volunteer Firefighters, Emergency Rescue Personnel, and Reserve Peace Officers

No employee shall receive discipline for taking time off to perform emergency duty as a volunteer firefighter, or other legally eligible emergency rescue personnel or reserve peace officers. Please alert your supervisor so that he or she may be aware of the fact that you may have to take time off for emergency
duty. In the event that you need to take time off for emergency duty, please inform your supervisor before doing so where possible. Time off for such duty is unpaid.

5.0 TIME-KEEPING/PAYROLL

5.1 Time-keeping

All non-exempt employees are required to record time worked on a time sheet for payroll purposes. Employees must record their own time at the start and at the end of each work period, including before and after the lunch break. Employees must also record their time whenever they leave the building for any reason other than ASI business. Writing on another employee’s time sheet, allowing another employee to write on your time sheet, or altering a time sheet will not be tolerated. Exempt employees may also be required to record their time on a timesheet.

The ASI will take all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday. In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the General Manager so that corrections can be made as quickly as possible.

5.2 Separation

All positions in the ASI serve at the will of the General Manager and/or ASI Senate, and as such can be separated at any time for any reason, including resignation, disciplinary action, retirement, budgetary adjustment, or death. The General Manager should be notified promptly of all separations.

Resignation: All resignations must be accompanied by a letter of resignation written and signed by the employee. Employees should provide at a minimum at least two weeks notice.

Layoffs: A reduction in force may result from a reorganization, a reduction in supporting funds, or the deletion of work functions. It is the responsibility of the General Manager and or ASI Senate to decide which positions are most necessary for the continuation of the ASI within a reduced workshop, budget or other business-related reasons.

Retirement: Employees are eligible for retirement from ASI employment at age 50 with at least five years of service credit with the ASI.

Checkout Process: Upon termination of employment (regardless of reason), the employee must complete a checkout process to separate from
the ASI. The General Manager will provide a form to be completed by the employee on the last day of employment and turned in with all signatures to the ASI General Manager. At the time the employee meets with CSUDH Foundation Personnel for clearance, any questions regarding extension of benefits should be addressed.

ASI utilizes the separation process as an opportunity to determine why employees are leaving. ASI is interested in eliciting the departing employee's reasons for leaving and includes an evaluation of wages paid, benefits and working conditions. Exit interviews will be conducted by the General Manager or his or her designee.

5.3 Pay Advances

ASI may not advance salaries or pay to any employee under any circumstance.

5.4 Pay Deductions and Garnishments

The law requires that the ASI make certain deductions from every employee's compensation. Among these are applicable federal, state and local income taxes. The ASI also must deduct Social Security taxes on each employee's earnings up to a specified limit. The law also requires full accounting on each pay stub for the hours worked and deductions taken.

The ASI offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs.

Court-ordered wage attachments are pay deductions required to be taken by ASI. An administrative fee may apply to attachments. Employees with two or more attachments may face involuntary termination.

Deductions made from your paycheck are disclosed on your pay stub. Questions should be directed to the ASI General Manager.

6.0 WORK CONDITIONS AND HOURS

6.1 Health and Safety

The health and safety of employees and others on ASI property is of critical concern to ASI. We strive to attain the highest possible level of safety in all activities and operations. ASI also intends to comply with all health and safety laws applicable to our business.
ASI maintains an Illness and Injury Prevention Program, which may be reviewed in the ASI General Manager's Office. In addition, ASI must rely upon its employees to ensure that work areas are kept safe and free of hazardous conditions. Employees should be conscientious about workplace safety including proper operating methods and known dangerous conditions or hazards. Employees should report any unsafe conditions or potential hazards to a supervisor immediately.

Periodically, ASI may issue rules and guidelines governing workplace safety and health. ASI may also issue rules and guidelines regarding the handling and disposal of hazardous substances and waste. All employees should familiarize themselves with these rules and guidelines, as strict compliance will be expected. Contact the ASI General Manager for copies of current rules and guidelines if you do not have them. Failure to strictly comply with rules and guidelines regarding health and safety or negligent work performance, which endangers health and safety, will not be tolerated.

Any workplace injury, accident, or illness must be reported to your supervisor as soon as possible, regardless of the severity of the injury or accident. If medical attention is required immediately, supervisors will assist employees in medical care, after which the details of the injury or accident must be reported.

6.2 Work Schedules

Work schedules for employees vary throughout our organization. The ASI General Manager will record the employee's individual work schedules. The staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

6.3 Attendance and Punctuality

If any employee is unable to attend work as scheduled or will be more than thirty minutes late, the ASI General Manager (or designee) must be promptly notified (no later than thirty minutes after the expected start time) by the employee when at all possible. The reason for the absence and the time or date the employee expects to return to work must be given. Employees who are absent or tardy without proper notice may not be paid for the time they are absent nor will they be able to use any vacation or sick leave accruals for that time. Failure by an employee to notify the Director, University Student Union (or his designee) at the earliest possible time may also lead to other disciplinary action, which may include termination.

Any employee absent without permission for three consecutive working days is deemed to have abandoned his/her job and will be automatically terminated.

6.4 Breaks and Lunch Periods
Breaks: All employees are entitled to one fifteen-minute break for every four hours worked. Normally these breaks will be scheduled in mid-morning and/or mid-afternoon. The ASI General Manager will coordinate break times and reserves the right to schedule break times that are most convenient for the functioning of the office.

Lunch Periods: If you work longer than four hours, you will be given an unpaid 30-minute lunch break. The ASI General Manager will arrange the time with you. You are expected to take your full-allotted time for lunch.

6.5 Use of ASI Equipment and Supplies

ASI equipment must be kept clean and is to be used for business purposes only. It must be maintained according to ASI rules and regulations. ASI office supplies are for business use only. No equipment can be removed from ASI unless provided in writing by the General Manager.

6.6 Authorization Regarding Access to Computers, Electronic Equipment And Voice Mail

ASI’s information systems, including but not limited to computers, voice mail, e-mail and access to the Internet and world wide web, are provided by ASI for the use of ASI and are to be reviewed, monitored and used only in the pursuit of ASI business. As a result, certain data is readily available to numerous persons. If, during the course of your employment, you perform or transmit work on the ASI’s computers or other technical resources, your work may be subject to the review of others.

You may access only files or programs that you have permission to enter. Unauthorized review of files, dissemination of passwords, the creation or use of passwords not authorized by ASI, damage to systems, removal of files, removal of programs or improper use of information contained in any software or other technical system or application may be grounds for disciplinary action, up to and including termination.

The following applies (as further elaborated below) to the use by employees of all of ASI’s information systems, including use of the Internet and World Wide Web, e-mail and voice mail systems and computers:

1. ASI's sexual harassment, non-discrimination and solicitation policies extend to such use. Employees should not, for example, use sexually suggestive screen savers, download or disseminate pornographic materials, or transmit or receive e-mail messages that contain offensive or objectionable material that is sexual in nature.

2. Commercial use of any of ASI’s electronic communication systems that is not directly for the benefit of ASI is prohibited.
3. The Internet and World Wide Web and any other communication device may not be used in a manner that infringes upon the patents, copyrights or licenses of others.

4. No electronic communication device may be used in a manner that infringes upon the rights of others to propriety, confidential or trade secret information.

5. Such devices may not be used for any competitive purpose or any purpose that creates an actual, potential or apparent conflict of interest.

The use of ASI’s information systems in any manner that may be disruptive, offensive to others or harmful to morale is specifically prohibited, including but not limited to the display or transmission of sexually explicit images, messages and cartoons, as well as the use of any ethnic slurs or communication that may be construed as harassment or disparagement of others. Such transmissions may be grounds for disciplinary action, up to and including termination. The use of ASI’s information systems to solicit or proselytize others for commercial ventures, religious or political causes, outside organizations or other non job-related solicitations is strictly forbidden and is grounds for disciplinary action, up to and including termination. Searches of ASI’s information systems may be conducted without advance notice in order to ensure that they are being used exclusively to facilitate transmittal of business-related information.

Employees may not duplicate software programs. Any unauthorized duplication is grounds for immediate discipline, up to and including discharge. Employees may not keep any backup copies of work done for the ASI when they leave ASI. If employees wish to keep samples of their work, they must obtain written permission from the General Manager to download specific examples. Downloading may occur only in the presence of the General manager or designee. Under no circumstances are employees allowed to keep copies of proprietary information, data or programs.

As an employee of ASI, you are permitted to use the ASI equipment for occasional, non-ASI–related purposes in accordance with ASI policy. However, no personal right of privacy of an employee exists in any information contained within or transmitted by the ASI’s computers or voicemail or e-mail systems. Information contained on ASI’s voicemail and e-mail systems are subject to review; ASI management can override your voicemail, e-mail and computer passwords and review your messages or other data if deemed necessary in the best interest of ASI.

ASI property such as laptops, cellular telephones, Personal Digital Assistants (PDA), modems and pagers are not to be used for illegal activities, non-ASI
related business or in any way, which would violate ASI policies or procedures. Bills and other documentation related to any type of ASI equipment are the property of ASI and may be reviewed and used for purposes ASI considers appropriate.

Use of ASI computers is prohibited in, but is not limited to the following instances:

- Engaging in unauthorized transactions that may incur a cost to the ASI or initiate unwanted Internet services and transmissions
- Sending or posting messages or material that could damage the organization's image or reputation
- Sending or posting messages that defame or slander other individuals
- Attempting to break into the computer system of another organization or person
- Refusing to cooperate with security investigation or jeopardizing the security of the organization's electronic communications systems
- Sending or posting chain letters, solicitations, advertisements or any sort of gambling
- Sending or posting messages that disparage another organization's products or services
- Passing off personal views as representing those of the ASI
- Sending anonymous E-mail messages
- Engaging in any other illegal activities

Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

6.7 Smoking

State Law (and University policy) prohibit smoking inside any office or University building. Any employee who finds it necessary to smoke may do so outside of the ASI office during their scheduled break times only.

6.8 Overtime

The ASI General Manager (or his/her designee) may require employees to work beyond normal hours. Although advance notice is given when feasible, this is not always possible. All non-exempt employees must have approval in writing from the General Manager (or his/her designee) before working overtime. Because unauthorized overtime is against ASI policy, employees who work unauthorized overtime are subject to discipline which may include termination. Overtime or extra hours are hours worked in excess of eight (8) hours a day or forty (40) hours a week. Employees in part-time positions do not earn overtime until they have worked more than 8 hours in one day or 40 hours in a week. Hours must be
worked to receive overtime. Hours used for vacation, sick, or other leave do not count towards hours worked.

6.81 Payment for Overtime Worked

(Non-exempt employees only.) Payment for overtime work must be in the form of additional wages only. For the purpose of determining overtime, the ASI’s work week normally begins at 12:01 a.m. on Sunday and ends at 12:00 midnight the following Saturday. Non-exempt employees receive time and a half compensation when hours worked exceed eight hours in one day or forty hours in one week. These employees receive double-time compensation for hours worked in excess of twelve hours in one day and for hours worked in excess of 8 on 7th day in any 1 work week. Employees cannot forgo this premium pay either voluntarily or involuntarily. Overtime hours must be approved before they are worked. An ASI Overtime Request and Approval Form must be completed and attached to the applicable time sheet.

6.9 Visitors in the Workplace

To provide for the safety and security of employees and the ASI Office, only authorized visitors are allowed in the workplace. Visitors must sign in and state whom they are visiting. Restricting visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

Authorized visitors should receive directions or be escorted to their destination. Employees are responsible for the conduct and safety of their visitors. If an unauthorized individual is observed in the ASI Office, the General Manager or ASI President should be notified immediately and the individual should be directed to the waiting area out side of the reception desk in the front of the office. If needed, campus police should be called for assistance.

6.10 Workplace Violence Prevention

ASI recognizes that violence in the workplace is a growing nationwide problem necessitating a firm, considered response by employers. The costs of workplace violence are great, both in human and financial terms. Therefore, ASI has adopted a Zero Tolerance Policy for workplace violence.

The safety and security of ASI employees is of vital importance. Acts or threats of physical violence, including intimidation, harassment and/or coercion, which involve or affect ASI or which occur on ASI property will not be tolerated.
This prohibition against threats and acts of violence applies to all persons involved in the operation of ASI, including, but not limited to, ASI personnel, contract and temporary workers and anyone else on ASI property. Violations of this policy, by any individual on ASI property, by any individual acting as a representative of ASI while off university property or by any individual acting off university property when his or her actions affect the business interests of ASI, will lead to disciplinary and/or legal action as appropriate.

Definitions

Workplace violence is any intentional conduct which is sufficiently severe, offensive or intimidating to cause an individual to reasonably fear for his or her personal safety or the safety of his or her family, friends and/or property such that employment conditions are altered or a hostile, abusive or intimidating work environment is created for one or several of ASI employees. Examples of workplace violence include, but are not limited to, the following:

- Threats or acts of violence occurring on university premises, regardless of the relationship between ASI and the parties involved in the incident.

- Threats or acts of violence occurring off university premises involving someone who is acting in the capacity of a representative of ASI.

- Threats or acts of violence occurring off university premises involving an employee of ASI if the threats or acts affect the business interests of ASI.

- Threats or acts of violence occurring off university premises of which an employee of ASI is a victim if ASI determines that the incident may lead to an incident of violence on university premises.

- Threats or acts resulting in the conviction of an employee or agent of ASI, or of an individual performing services for ASI on a contract or temporary basis, under any criminal code provision relating to violence or threats of violence which adversely affect the legitimate business interests of ASI.

Specific examples of conduct, which may be, considered threats or acts of violence under this policy include, but are not limited to the following:

- Threatening physical or aggressive contact directed toward another individual.

- Threatening an individual or his/her family, friends, associates or property with physical harm.
• The intentional destruction or threat of destruction of ASI or another’s property.
• Harassing or threatening phone calls.
• Surveillance.
• Stalking.
• Veiled threats of physical harm or intimidation.

Workplace violence does not refer to occasional comments of a socially acceptable nature. Such comments may include references to legitimate sporting activities, popular entertainment or current events. Rather, it refers to behavior that is personally offensive, threatening or intimidating.

Enforcement

Any person who engages in a threat or violent action on ASI property may be removed from the premises as quickly as safety permits and may be required, at ASI’s discretion, to remain off ASI premises pending the outcome of an investigation into the incident.

When threats are made or a ASI employee commits acts of violence, a judgment will be made by ASI as to what actions are appropriate, including possible medical evaluation and/or possible disciplinary action.

Once a threat has been substantiated, it is ASI’s policy to put the threat-maker on notice that he/she will be held accountable for his/her actions and then follow through with the implementation of a decisive and appropriate response.

Under this ASI policy, decisions may be needed to prevent a threat from being carried out, a violent act from occurring or a life-threatening situation from developing. No existing ASI policy or procedure should be interpreted in a manner that prevents the above from occurring.

Temporary and Permanent Restraining Orders

Any employee who applies for a temporary or permanent protective or restraining order which lists any ASI or university location as a protected area must provide the University Police Office and the ASI President with a copy of the petition and declarations used to apply for the order. Any employee who obtains a temporary or permanent protective or restraining order, which lists any ASI or university location as a protected area must provide the University Police Office and the ASI President a copy of the order. Such information will be kept confidential to the extent possible without compromising the safety and security of ASI employees and board members.
Important Note: ASI will make the sole determination of whether, and to what extent, ASI will act upon threats or acts of violence. In making this determination ASI may undertake a case-by-case analysis in order to ascertain whether there is a reasonable basis to believe that workplace violence has occurred. No provision of this policy shall alter the at-will nature of employment at ASI.

6.11 Emergency Closing

At times of emergency, such as power failure, fire, or earthquake, ASI operations may be disrupted. In extreme cases, the office will be closed.

When the decision to close is made after the workday has begun, employees will receive official notification from the General Manager as to what will be done. In these situations, time off from scheduled work will be paid. Employees in essential operations may be asked to work on a day when operations are officially closed. In these circumstances, employees who work will receive regular pay.

7.0 EMPLOYEE CONDUCT AND DISCIPLINARY ACTION

7.1 Employee Conduct and Work Rules

To ensure orderly operations and provide the best possible work environment, the ASI expects employees to follow rules of conduct that will protect the interest and safety of all employees and the members of ASI.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- Engaging in any criminal activity on or off the CSUDH campus, which makes it undesirable to continue the employment relationship
- Violation of health and safety rules
- Possession of weapons, hazardous materials or explosives in the workplace or on the CSUDH campus or at ASI events
- Theft or inappropriate removal or possession of ASI or co-worker's property
- Falsification of time-keeping records
- Working under the influence of alcohol or illegal drugs
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace or while on duty.
- Fighting or threatening violence in the workplace
- Excessively boisterous or disruptive activity in the workplace
• Negligence or improper conduct leading to damage of ASI-owned property
• Insubordination or other disrespectful conduct
• Smoking in prohibited areas
• Any action that could be interrupted as inappropriate behavior with employees, ASI Senate members, CSUDH students, faculty administration or staff
• Excessive absenteeism or any absence without notice
• Unauthorized absence from workstation during the workday
• Unauthorized use of telephones
• Unauthorized disclosure of ASI "secrets" or confidential information
• Unsatisfactory performance or conduct
• Violation of personnel policies

Employment with the ASI is at-will, and either party may terminate that relationship at any time, with or without cause, and without advance notice.

7.2 Sexual and Other Unlawful Harassment

Unlawful Harassment Defined

ASI will take all reasonable steps to prevent discrimination and harassment. In addition to prohibiting other forms of unlawful discrimination, ASI maintains a strict policy prohibiting sexual harassment and harassment because of sex, gender, genetic characteristics or information, race, color, national origin, ancestry, religion, creed, physical or mental disability, cancer-related medical condition, marital status, veteran status, sexual orientation and age, pregnancy, or any other basis protected by applicable federal, state or local law. All such harassment is prohibited. ASI’s anti-harassment policy applies to all employees and independent contractors involved in the operations of ASI and prohibit harassment by any employee of ASI including supervisors, co-workers and independent contractors.

Sexual Harassment Defined

Federal and state law defines sexual harassment as unwanted sexual advances, requests for sexual favors or visual, verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made a term or condition of employment; or (2) submission to or rejection of such conduct is used as basis for employment decisions affecting the individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an employee’s work

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1 ASI’s anti-harassment policy also protects employees from harassment by clients, vendors, or others doing business with the ASI. If harassment occurs on the job by someone not employed by the ASI, the procedures in this policy should be followed as if the harasser were an employee of the ASI.
performance or creating an intimidating, hostile or offensive working environment.

This definition includes many forms of offensive behavior. The following is a partial list:

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

It is unlawful for males to sexually harass females or other males, and for females to sexually harass males or other females. Sexual harassment on the job is unlawful whether it involves co-worker harassment, harassment by a supervisor or manager, or by persons doing business with or for ASI.

7.21 Preventing Sexual Harassment

7.22 ASI's Complaint Procedure:

ASI's complaint procedure provides for an immediate, thorough and objective investigation of any sexual harassment claim, appropriate disciplinary action against one found to have engaged in prohibited sexual harassment, and appropriate remedies to any victim of harassment.

Employees who believe they have been sexually harassed on the job, including by ASI Senators and persons doing business with or for ASI, should provide a written or oral complaint to the ASI General Manager as soon as possible. The complaint should include details of the incident(s), names of individuals involved, and the names of any witnesses. Employees must immediately refer all harassment complaints to
the ASI General Manager. If the General Manager is the alleged perpetrator, report to the ASI President.

☐ All incidents of sexual harassment that are reported must be investigated. The General Manager of ASI President will immediately undertake or direct an effective, thorough and objective investigation of the harassment allegations. The investigation will be completed and a determination regarding the harassment alleged will be made and communicated to the employee(s) who complained and the accused harasser(s). If ASI determines that sexual harassment has occurred, ASI will take effective remedial action commensurate with the circumstances. Appropriate action will also be taken to deter any future harassment. If a complaint of sexual harassment is substantiated, appropriate disciplinary action, up to and including discharge, will be taken. Whatever action is taken against the harasser will be communicated to the employee who complained, and ASI will take appropriate action to remedy any loss to the employee resulting from the sexual harassment.

☐ Independent contractors should use this Complaint Procedure for any claim of sexual harassment.

ALL EMPLOYEES AND INDEPENDENT CONTRACTORS SHOULD NOTE THAT THE FAILURE TO USE ASI'S COMPLAINT PROCEDURE MIGHT RESULT IN THE DEFEAT OF ANY CLAIM OF SEXUAL HARASSMENT IF LITIGATED.

7.23 Employee’s Duty to Disclose Benefits Received

No supervisor, manager, or officer of the corporation is authorized to condition the receipt or denial of any benefit, compensation, or other term of condition of employment on an employee’s acquiescence to any sexual demand. To the contrary, all employees are instructed that they must refuse such demands and report them promptly to the ASI General Manager. Any employee who is found to have obtained any benefit from ASI because he or she submitted to an unreported sexual demand will be disciplined appropriately, including but not limited to, reimbursement for the value of any benefits received. Any employee making such a demand will be similarly disciplined.

7.24 Liability for Sexual Harassment

Any employee of ASI, whether co-workers, supervisor or manager, who is found to have engaged in unlawful sexual harassment is subject to disciplinary action up to and including discharge from employment. An employee, who engages in sexual harassment, including any manager who knew about the harassment and took no action to stop it, may be held personally liable for monetary damages.
ASI may be under no obligation to pay damages assessed personally against an employee.

7.25 Prohibition Against and Duty to Disclose Romantic Relationships

ASI recognizes that employees may develop personal relationships in the course of their employment. However, in an effort to prevent favoritism, morale problems, disputes or misunderstandings, and potential sexual harassment claims, supervisors are discouraged from dating or engaging in sexual relationships with subordinate employees. However, in the event such a relationship is undertaken, the parties are required to disclose to the ASI General Manager that such a relationship exists, and both parties will be required to sign an acknowledgement that the relationship is voluntary and consensual. In the event that such a relationship exists or existed, and such disclosures have not been made, the relationship presumed to have been voluntary and consensual. All employees acknowledge these requirements and the presumption by signing the Annual Acknowledgement and Receipt of this Handbook. Furthermore, co-workers are discouraged from dating or pursuing romantic or sexual relationships with each other.

7.26 Anti-Retaliation Policy

In accordance with applicable law, ASI prohibits retaliation against any employee because of the employee's opposition to a practice the employee reasonably believes to constitute harassment or employment discrimination investigation, proceeding or hearing. Any retaliatory adverse action because of such opposition or participation is unlawful and will not be tolerated.

a. Examples of Opposition:

Opposition to perceived harassment and discrimination includes threatening to file a discrimination complaint with the EEOC, state agency, union or court or complaining or protesting about alleged harassment employment discrimination to a manager, union official, co-worker or other official. Opposition also includes a complaint or protest made on behalf of another employee or made by the employee's representative. A complaint about an employment practice constitutes protected opposition only if the employee communicates to ASI a reasonable good faith belief that the practice opposed constitutes unlawful employment discrimination. Opposition in a manner which disrupts the workplace, or which constitutes an unlawful activity, or engaging in badgering or threatening of employees or supervisors is not protected.

b. Examples of Participation:

ASI will not tolerate retaliation against any individual because he or she has filed a charge, testified, assisted or participated in any manner in an investigation,
proceeding, hearing or litigation under federal or state employment discrimination statutes or at other hearings regarding protected employee rights, such as an application for unemployment benefits. ASI also prohibits retaliation against someone closely related to or associated with the employee exercising such rights.

c. ASI’s Anti-Retaliation Complaint Procedures

ASI’s complaint procedure provides for an immediate, thorough and objective investigation of any claim of unlawful retaliation because of opposition to alleged harassment or discrimination or participation in a proceeding regarding alleged employment harassment or discrimination. If you believe that you have been retaliated against because of your opposition to an employment practice you reasonably believe to be discriminatory or because of your participation in a hearing or proceeding regarding alleged unlawful discrimination, you should provide a written or oral complaint to the ASI General Manager as soon as possible. Your complaint should be as detailed as possible, including the names of individuals involved, the names of any witnesses, and any documented evidence.

All complaints of prohibited retaliation, which are reported to management, will be investigated. ASI will immediately undertake and direct an effective, thorough and objective investigation of the retaliation allegations. The investigation will be completed and a determination regarding the alleged retaliation will be made and communicated to the employee who complains and to the person(s) accused of retaliation.

If ASI determines that an individual has suffered adverse action in retaliation for opposition to alleged employment discrimination or participation in a proceeding related to alleged employment discrimination, ASI will take effective remedial action appropriate to the circumstances. ASI will also take action to deter any future retaliation. If a complaint of unlawful retaliation is substantiated, appropriate disciplinary action, up to and including discharge, will be taken. Whatever action is taken against the person responsible for the retaliation will be communicated to the employee who complained.

7.27 Additional Enforcement Information

In addition to ASI’s internal complaint procedures regarding harassment, discrimination and retaliation, employees should be aware that the Federal Equal Employment Opportunity Commission (EEOC) and the California Department of Fair Employment and Housing (DFEH) investigate and prosecute such complaints. The EEOC can be reached toll-free at 1-800-669-4000 and the DFEH at 1-800-884-1684
7.28 Other Types of Unlawful Harassment

In addition to sexual harassment, ASI's policy prohibits all types of harassment which are based on an employee's or individual contractor's genetic characteristics or information, gender, race, color, creed, sex, marital status, age, national origin or ancestry, physical or mental disability, medical condition, veteran status, sexual orientation or any other basis prohibited by federal, state or local law. All such harassment is prohibited. The policies and procedures described above apply to all types of unlawful harassment and employees should feel free, without fear of retaliation, to follow the procedures set forth above if they believe they have been unlawfully harassed.

For more information, contact the ASI General Manager

7.3 Drug and Alcohol Abuse

ASI is concerned about the use of alcohol, illegal drugs or controlled substances as it affects the work place. The use of prescription drugs and/or over the counter drugs whether on or off the job can adversely affect an employee’s work performance, efficiency, safety and health and therefore seriously impair the employee's value to ASI. 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 ASI to the risks of property loss or damage or injury to other persons. Employees who are using prescription or over-the-counter drugs which may impair their ability to safely or properly perform their jobs or may affect the safety or well being of others, may be requested to undergo a medical examination at ASI's expense if it is reasonably believed that the use of such drugs may be adversely affecting their job performance.

The following rules and standards of conduct apply to all employees either on ASI property or during the workday (including meals and rest periods).

ASI strictly prohibits the following:

1. Possession, use, or being under the influence of alcohol or an illegal or controlled substance while on the job.

2. Driving an ASI vehicle or vehicle leased by ASI while under the influence of alcohol or an illegal or controlled substance.

3. Distribution, sale of or offer to sell or purchase an illegal or controlled substance while on the job.

Violation of the above rules and standards of conduct will not be tolerated. ASI may also bring the matter to the attention of appropriate law enforcement authorities.