

RESOLUTION NO. 24-03-865

A RESOLUTION AMENDING THE EMPLOYEE HANDBOOK

Whereas Mojave Air and Space Port ("District") owns and operates Mojave Airport and Mojave Spaceport (the "Airport");

Whereas the District adopted an Employee Handbook on October 2, 2006 and amended on December 22, 2022; and

Whereas the District desires to make certain amendments to the Employee Handbook;

NOW, THEREFORE, BE IT RESOLVED:

1. The District's Employee Handbook is amended and approved as provided in Exhibit 1, attached hereto.
2. This Resolution shall take effect on April 1, 2024, and continue until amended or repealed.


PASSED, APPROVED, AND ADOPTED on March 19, 2024.

Ayes: 5
Noes: 0
Abstain: 0
Absent: 0



Robert Morgan, President

ATTEST



Jimmy R. Balentine, Secretary

MOJAVE
AIR AND SPACE PORT
STAFF MEMORANDUM

TO: Board of Directors
FROM: Carrie Rawlings
SUBJECT: Employee Handbook
MEETING DATE: March 19, 2024

Background:

The District has updated the format of the employee handbook to include leaves and accommodations that apply to our employees. In addition, we have made a couple changes.

The areas worth noting include:

Section 5.1 – Health, Dental and Optical Plan – Increased monthly amounts by 5% to help with inflation of health care costs to employees.

Section 5.11 – Paid Sick Leave – Changed the accrual of sick leave from 1.54 to 3.08 hours of sick leave per pay period. Sick leave legal requirements changed as of January 1, 2024 for California to remain in compliance we increased the accrual of sick leave for employees.

Section 7.7- Electronic Communications -Added language in regard to telephone and radio systems capabilities of recording conversations.

Recommended Action:

Adopt the resolution for the new Employee Handbook.

The Employee Handbook is supplemental to those employment terms and conditions contained in the District's Board Policies. If any provision of this handbook is contrary to the Board Policy, the Board Policy is the governing and final authority on such matters. Finally, as a public employee your employment is held by statute, not contract, except as otherwise provided in a writing approved by the Board of Directors.

2.2 Ethics Code

THE DISTRICT will conduct business honestly and ethically wherever operations are maintained. We strive to improve the quality of our services, products, and operations and will maintain a reputation for honesty, fairness, respect, responsibility, integrity, trust, and sound business judgment. Our employees are expected to adhere to high standards of business and personal integrity as a representation of our business practices, at all times consistent with their duty of loyalty to the District and California ethical laws and regulations, including the Political Reform Act and Government Code section 1090 (contract conflicts of interest).

We expect that directors, managers and employees will not knowingly misrepresent the District and will not speak on behalf of the District unless specifically authorized. The confidentiality of trade secrets, proprietary information, and similar confidential commercially-sensitive information (i.e. financial or sales records/reports, marketing or business strategies/plans, product development, customer lists, patents, trademarks, etc.) about the District or operations, or that of our customers or partners, is to be treated with discretion and only disseminated on a need-to-know basis (see policies relating to privacy).

Violation of the Code of Ethics can result in discipline, up to and including termination of employment. The degree of discipline imposed may be influenced by the existence of voluntary disclosure of any ethical violation and whether or not the violator cooperated in any subsequent investigation.

2.3 Definitions

Unless otherwise apparent from context, the following terms are defined for the purposes of this Handbook:

- District means Mojave Air & Space Port at Rutan Field.
- Board means the Board of Directors of the District.
- Introductory Employee means an employee who has not yet completed the introductory period.
- Regular Employee means an employee who has completed the introductory period.
- Temporary Employee means an employee who is hired for a specific project or determinate period, usually six months or less.
- Part-time Employee means an employee routinely working less than 128 hours per month.
- Full-time Employee means an employee routinely working at least 160 hours per month.
- Exempt Employee means an employee who is exempt from the overtime pay requirements of the Fair Labor Standards Act.
- Nonexempt Employee means an employee who is covered by the overtime provisions of the Fair Labor Standards Act.
- Year of service means a period of one calendar year of continuous work from the date an employee commences work.
- Dependent means the spouse and unmarried, dependent children eligible for coverage under the District's group health plan.
- Executive staff means the CEO/GM, Director of Operations, Director of Administration, Director of Technology, Director of Planning, Director of Facilities and Director of Fuels.
- PEPPRA means California Public Employees' Pension Reform Act which applies to any employees hired after January 2013.

2.4 Revisions to Handbook

This handbook is our attempt to keep you informed of the laws, policies, and rules applicable to your employment, including District policies and procedures. The handbook is not a contract. The District

4.0 Wage and Hour Policies

4.1 Attendance

If you know ahead of time that you will be absent or late, provide reasonable advance notice to your Supervisor. You may be required to provide documentation of any medical or other excuse for being absent or late where permitted by applicable law.

The District reserves the right to apply unused vacation, sick time, or other paid time off to unauthorized absences where permitted by applicable law. Absences resulting from approved leave, vacation, or legal requirements are exceptions to the policy.

The Director of Administration may request a doctor's certification for sick leave for all injuries/illnesses event that exceed three working days.

4.2 Direct Deposit

The District encourages all employees to enroll in direct deposit. If you would like to take advantage of direct deposit update information in your Paychex Flex account.

If you have selected the direct deposit payroll service, a written explanation of your deductions will be available on your Paychex Flex account.

4.3 Employment Classifications

The District designates all employees as either exempt or nonexempt in compliance with applicable federal, state, and local law:

- **Exempt Employees.** Exempt employees are generally paid a fixed salary and are not entitled to overtime pay.
- **Nonexempt Employees.** Nonexempt employees are entitled to minimum wage and overtime pay.

The District also assigns each employee to one of the following categories:

- **Regular Full-Time Employees.** Regular full-time employees are normally scheduled to work at least 40 hours per workweek, except for approved time off. Full-time employees are eligible for most District benefits.
- **Temporary/Seasonal Employees.** Temporary employees are generally hired on a temporary or project-specific basis, with either full- or part-time hours. Seasonal employees are hired on a temporary basis during a time of year when extra work is available. Temporary/seasonal employees are not eligible for most District benefits.
- **Regular Part-Time Employees.** Regular part-time employees are normally scheduled to work 39 hours or less per workweek. Part-time employees are not eligible for most District benefits.

You will be informed of your classification, status, and responsibilities at the time of hire and at any time your classification, status, or responsibilities change. If you have a question regarding this information, contact the Director of Administration. These classifications do not alter your employment at-will status.

4.4 Job Abandonment

If you fail to show up for work or fail to call in with an acceptable reason for the absence for a period of three (3) consecutive days, you will be considered to have abandoned your job and voluntarily resigned from the District.

Once all your hours have been logged you need to approve your timecard at the end of your shift. If you are unable to do so, please notify your supervisor.

Falsifying time entries is strictly prohibited. Falsifying time entries includes working "off the clock." If you falsify your own time records, or the time records of co-workers, or if you work off the clock, you will be subject to discipline up to and including termination. Immediately report to your Supervisor or appropriate department any employee, supervisor, or manager who falsifies your time entries or encourages or requires you to falsify your time entries or work off the clock.

4.8 Expense Reimbursement

The District may require employees to use their vehicles on District business or may provide use of a District vehicle for District business. When travel is authorized by the District, an employee shall be paid pre-approved reasonable and necessary reimbursement for all expenses in connection with District business.

Employees must submit travel per diem request form for mileage, standard meals, and incidentals.

Employees shall be entitled to reimbursement for authorized use of their privately-owned vehicles in the conduct of business, at the mileage reimbursable rate set by the Internal Revenue Service.

When an employee is authorized by a member of the executive staff to travel, the employee will receive the Standard Meals & Incidentals Rate published by U.S. General Services Administration for the days they are on travel for District business.

Expenses outside of mileage, meals, and incidentals shall be submitted with an expense report. All receipts for purchases made on behalf of the District must be included with the report.

Automobile rental expenses shall be approved in advance by a member of the executive staff. Airfare reimbursement shall be at government or coach rate, if available. Taxi/Uber/Lyft fares are reimbursable only if shuttle service is not readily available.

When an employee is authorized by a member of the executive staff to incur a reimbursable lodging expense, the employee shall submit paid receipts or other evidence that the expense has been incurred.

4.9 Workday/Workweek

The District's workweek runs from Monday to Sunday. The workday begins at 12:00 A.M. and ends at 11:59 P.M. Employees may be required to come in early, work late, or work overtime from time to time, depending on various factors, such as workloads, staffing needs, and special projects.

4.10 Meal and Rest Periods

The District strives to provide a safe and healthy work environment and comply with all applicable federal and state regulations regarding meal and rest periods. Check with your Supervisor regarding procedures and schedules for meal and rest periods.

The District requests that employees observe and accurately record meal periods in time and attendance records. If you know in advance that you may not be able to take an uninterrupted scheduled meal period, let your Supervisor know; in addition, notify your Supervisor as soon as possible if you were unable to take or were prohibited from taking an uninterrupted scheduled meal.

Meal and rest periods are intended to provide employees with an opportunity to be away from work, and employees are not permitted to perform any work during meal and rest periods.

Meal Periods

5.0 Benefits and Leave

5.1 Health, Dental, and Optical Plan

Permanent, full-time officers and employees, including active directors, and their dependents shall be eligible for membership in the District's group health plan. Membership shall commence at the earliest date permitted by the plan. Except for benefits provided to former employees, health plan membership shall cease at termination of employment or office holding. The District will pay up to the following amounts monthly for the cost of group health plan membership:

- \$880 for an employee only;
- \$1671 for an employee with one dependent; and
- \$2,143 for an employee with more than one dependent.

The District shall reimburse each employee for the deductible portion of the employee's group health plan, not to exceed \$500.00 per individual or family group per year. The employee shall present written proof satisfactory to the Director of Administration that such costs have been incurred before such reimbursement is paid.

Permanent full-time officers and employees, including directors, and their dependents shall be eligible for dental, optical, and audiology plan reimbursement after the 6-month probationary period at the start of their employment. The employee or director shall be reimbursed up to \$1,500.00 per fiscal year for dental and optical expenses incurred by the employee, director, and each eligible dependent. Unused annual allowance may be rolled over for two years for employee, director, and each eligible dependent. The unused annual allowance must be used by the individual who rolled over the balance. The maximum balance for a family is \$10,000 and will not be paid out at the separation.

As used herein, the term "dependent" refers to an officer's or an employee's spouse and dependent unmarried children up to the age specified by federal or state law (currently, twenty-six (26) years old, dependents as defined by law for full-time students, and dependent children regardless of age who are physically or mentally incapacitated.

5.2 Continued Benefits

Permanent, full-time officers and employees are eligible for participation in the retirement program through the Public Employees' Retirement System (P.E.R.S.). Eligibility for participation in the program shall be determined on the basis of the contract between P.E.R.S. and the District. Employees hired prior to January 1, 2013, are considered classic members for Miscellaneous and Safety. Employees hired after January 1, 2013, will receive retirement benefits calculated under the PEPRA 2013, The California Public Employees' Pension Reform Act of 2013, unless they have already been classified by CalPERS as a classic member. CalPERS determines the employee's classification based on individual circumstances if they are a previous CalPERS member.

Employees hired prior to October 1, 2017, that reach retirement age and who have been an active member of P.E.R.S. for at least five (5) years and their dependents are eligible for continued participation in the District's group medical plan. Employees hired after October 1, 2017, will be eligible for health benefits based on the resolution with CalPERS vesting schedule.

Based on their years of PERS service with the District, annuitants would be eligible to receive a percentage of the 100/90 formula amounts from the employer as follows:

- Courses or programs to maintain or improve skills required in the employee's current job, or next higher-level job to which the employee aspires;
- Courses or programs relevant to or required for a skill, license, certification, or degree appropriate to the individual's career development and the District's need for the particular craft;
- Specific degree programs, including GED, Associate, Bachelors, and graduate degrees in all areas relevant to the District's operations; and
- Test preparation classes for promotional examinations within the District.

Acceptable Educational Institutions include accredited postsecondary institutions, certified correspondence schools and other institutions, organizations, or individuals approved by the District.

The District may pay 100% of tuition costs (including Registration, books and laboratory fees) for acceptable course(s) or program(s) up to the maximum of Ten Thousand dollars (\$10,000), in the District's sole discretion, per eligible employee in any calendar year. The \$10,000 maximum benefit is available to employees who wish to further their education within their current work field at the District. If employees wish to pursue education not related to their current work field at the District, the maximum benefit is \$5,000. Tuition payments will be made directly to the educational institution or reimbursed to the employee upon completion of the course or program.

Employee is required to bring in proof of the final grade of the course or program taken. If the employee does not show proof of the final grade within 60 days of completion of course, he or she will be required to reimburse the District, either by personal check or by payroll deduction, in full all funds paid by District.

Employee will be required to have a grade of "B" or above for undergraduate and graduate degree programs, and a passing grade (e.g. "D" or higher) for all other courses. If employee does not achieve the required grade, he or she will be required to reimburse the District in full for funds paid by District.

Employees receive regular wages and benefits when participating in any of the two (2) following leave arrangements:

- Personal time off: employees may rearrange their regular working hours to schedule a course or programs;
- Short-term leave: employee may request up to five (5) days leave per year to complete a specific educational activity during working hours.

Procedure for Applying for Financial Assistance:

- The employee completes a payment request form available from Administration.
- The form is submitted to the employee's immediate supervisor who reviews and forwards it to the General Manger with a recommendation.
- The General Manger reviews, recommends, and forwards the request to Administration.
- If either the supervisor or General Manager disapproves the request, or the course or institution are unacceptable, Administration will meet with employee, to work out an alternative course of study.
- If approved by both the supervisor and General Manager, Administration confirms course(s) and institution eligibility.
- Upon completion of an academic term, the employee shall submit his or her academic transcript to Administration who will confirm compliance with this policy and forward the request to the accounting department to submit payment to the institution or reimbursement to the employee.

Procedures for Applying for Educational Leave:

- Personal time off: the employee arranges with his or her immediate supervisor a modified work schedule.
- Short-term leave requests must be approved by supervisor and General Manager.

- New Year's Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- The Friday After Thanksgiving Day
- Christmas Eve
- Christmas Day
- New Year's Eve
- Three (3) Floating Holidays

When a holiday falls on a Saturday, it will be observed the preceding business day. Holidays falling on a Sunday will be observed the following business day. If a holiday falls on a Tuesday or Thursday, the District shall determine when it shall be observed.

Regular full-time employees shall be paid their regular compensation for each holiday if the employee does not work. Regular full-time employees authorized to work on a holiday shall be paid holiday and hours worked at regular rate of pay.

Part-time, non-salaried employees shall not be paid for holidays if the employee does not work. If a part-time employee works on a holiday, the employee will be compensated at the regular rate, unless the employee works overtime.

If a holiday falls on your regular day off, ask your Supervisor how it affects you.

You will be compensated for holidays in accordance with federal and state law.

5.9 Vacation

The District provides employees with paid vacation.

Eligibility

All full-time regular employees are eligible to receive vacation time immediately upon hire.

Deposits Into Your Leave Account

Vacation is calculated according to your work anniversary year.

The amount of vacation received each year is based on your length of service and accrues according to an accrual schedule determined by the District up to a maximum annual grant as shown below:

- Immediately upon hire, eligible employees shall accrue 1.54 hours of vacation for every full pay period worked, up to a maximum of 40 hours per year.
- After the completion of one (1) year of employment, eligible employees shall accrue 3.08 hours of vacation for every full pay period worked, up to a maximum of 80 hours per year.
- After the completion of four (4) years of service, eligible employees shall accrue 4.62 hours of vacation for every full pay period worked, up to a maximum of 120 hours per year.
- After the completion of fourteen (14) years of service, eligible employees shall accrue 6.15 hours of vacation for every full pay period worked, up to a maximum of 160 hours per year.

Leave Usage and Requests for Leave

The District encourages you to use your vacation time. You are eligible to begin using vacation as soon as it is accrued.

You must request vacation from your Supervisor as far in advance as possible. The scheduling of an

- Upon the request of an employee, the District shall pay overtime compensation in cash in lieu of CTO for any CTO that has accrued for at least two (2) pay periods if exigent circumstances exist and it is approved by the Board.
- For purposes of determining whether a request to use CTO has been granted within a reasonable period, the following factors shall be considered:
 - The normal schedule of work.
 - Anticipated peak workloads based on past experience.
 - Emergency requirements for staff and services.
 - The availability of qualified substitute staff.

(4) This section shall not apply to any employee exempt from the overtime provisions of applicable law.

5.11 Paid Sick and Safe Leave (Accrual Method)

The District provides paid sick and safe leave to all eligible employees in accordance with California's Healthy Workplaces, Healthy Families Act.

Eligibility

All employees who have worked in California for at least 30 days within a year after beginning employment are entitled to earn sick and safe leave.

Reasons for Leave

Sick and safe leave may be taken for the following reasons:

- The diagnosis, care, or treatment of an existing health condition, or preventive care for you or your family member. The Director of Administration may request a doctor's certification for sick leave for all injuries/illnesses event that exceed three working days.
- Adverse weather conditions that create difficulty for employees to report to work or make it advisable for employees to leave work early.
- Full-time employees may use sick leave for bereavement leave, but not to exceed five (5) days in a twelve (12) month period.
- If you are a victim of domestic violence, sexual assault, or stalking, to:
 - Seek legal or equitable relief to help ensure the health, safety, and welfare of you or your child (e.g. a restraining order).
 - Seek medical attention caused by domestic violence, stalking, or sexual assault.
 - Obtain services from a domestic violence shelter, domestic violence program, rape crisis center, or victim services organization or agency.
 - Obtain psychological counseling (including mental health services).
 - Participate in safety planning and take other actions to increase safety from future domestic violence, assault, or stalking, including temporary or permanent relocation.

Family member means:

- Your children (including biological, adopted, or foster children; stepchildren; legal wards; children of a domestic partner; or children to whom you stand in loco parentis).
- Your spouse or registered domestic partner.
- Your parents or your spouse's or registered domestic partner's parents (including biological, adoptive, and foster parents; stepparents; legal guardians; or persons who stood in loco parentis when you, or your spouse or domestic partner, was a minor child).
- Your grandparents.
- Your grandchildren.
- Your siblings.
- A person designated by you at the time you request paid sick and safe leave. You will be limited to making this designation once per 12-month period for purposes of paid sick and safe leave.

Reinstatement of Leave upon Rehire

The District will reinstate previously accrued, unused sick and safe leave if you separate and are rehired within one year.

Interaction with Other Leave

Sick and safe leave will run concurrently with other types of leave when permitted under applicable law.

Retaliation

The District will not retaliate against employees who request or take leave in accordance with this policy.

5.12 Disability Insurance

If you are unable to work for at least eight days due to a non-work-related illness or injury, or a pregnancy-related disability, you may be eligible for disability insurance benefits. Disability insurance is a component of California's State Disability Insurance (SDI) program, which is administered by the California Employment Development Department (EDD) and is funded by workers through SDI payroll deductions. Disability insurance provides eligible employees with up to 52 weeks of partial wage replacement benefits. Benefit amounts are based on a percentage of your wages paid during a specific 12-month base period, determined by the date your claim begins.

To apply for this benefit, you must provide written notice of the disability, including a doctor's certificate stating the nature of the disability and your expected date of return to work.

The SDI program does not create a right to a leave of absence, job protection, or job reinstatement.

You are responsible for filing your claim and other forms promptly and accurately with the EDD. To learn more about the SDI program, including eligibility requirements and benefits, or to make a claim for DI benefits, contact the EDD (www.edd.ca.gov).

The District will be notified that you have submitted a disability insurance claim.

5.13 Bereavement Leave

The District will provide eligible employees up to five days of unpaid bereavement leave in accordance with the California Fair Employment and Housing Act.

Eligibility

To be eligible for bereavement leave, you must be employed by the District for at least 30 days prior to the start of leave.

Reasons for Leave

Eligible employees may take bereavement leave for the death of a family member.

As used in this policy:

- **Family member** means your child, parent, grandparent, grandchild, sibling, spouse, or domestic partner.
- **Child** means a biological, adopted, or foster child; a stepchild; a legal ward; a child of a domestic partner; or a person to whom you stand in loco parentis.
- **Parent** means a biological, foster, or adoptive parent; a parent-in-law; a stepparent; a legal guardian; or other person who stood in loco parentis to you when you were a child.
- **Sibling** means a person related to another person by blood, adoption, or affinity through a common legal or biological parent.

5.15 California Family Rights Act (CFRA) Leave

The District provides unpaid family and medical leave to eligible employees in accordance with the California Family Rights Act (CFRA).

Eligibility

To be eligible for CFRA leave:

- You must have been employed for at least 12 months (52 weeks) with the District prior to beginning CFRA leave; and
- You must have worked for the District for at least 1,250 hours during the 12-month period immediately before the leave is to start.

Reasons for Leave

You may take CFRA leave for the following reasons:

- The birth, adoption, or foster care placement of a child.
- To care for your own or your family member's serious health condition (not including disability due to pregnancy, childbirth, or related medical conditions).
- A qualifying exigency related to your spouse, domestic partner, child, or parent who is a military member on covered active duty or called to covered active-duty status (or has been notified of an impending call or order to covered active duty).

As used in this policy:

- **Family member** means your child, parent, grandparent, grandchild, sibling, spouse, domestic partner, or designated person.
- **Child** means a biological, adopted, or foster child; a stepchild; a legal ward; a child of a domestic partner; or a person to whom you stand in loco parentis.
- **Designated person** means any person related to you by blood or whose association to you is the equivalent of a family relationship.
- **Parent** means a biological, foster, or adoptive parent; a parent-in-law; a stepparent; a legal guardian; or other person who stood in loco parentis to you when you were a child.
- **Sibling** means a person related to another person by blood, adoption, or affinity through a common legal or biological parent.

You may identify your designated person at the time you request CFRA leave. You will be limited to making this designation once per 12-month period for purposes of CFRA leave.

Leave Usage

Eligible employees may take up to 12 workweeks of leave per leave year. For purposes of this policy, the leave year is a rolling 12-month period that is measured backward from the date any CFRA leave is used.

You may elect to use any accrued vacation time or other accrued paid time off that you are eligible to take during the otherwise unpaid portion of the CFRA leave. You also may elect to use any accrued sick leave that you are eligible to take during the otherwise unpaid portion of CFRA leave if the CFRA leave is for your own serious health condition, a qualifying exigency, or any other reason mutually agreed to between you and the District.

CFRA leave will run concurrently with other federal/state laws if permitted by law.

Intermittent Leave

When medically necessary, leave may be taken on an intermittent or a reduced work schedule.

Notice

If you fail to return to work or fail to request an extension of leave prior to the expiration of the leave, you will be considered to have voluntarily terminated your employment. If you fail to return from leave, the District may require reimbursement of the health insurance premiums paid during the leave under certain circumstances.

Retaliation

The District will not retaliate against employees who request or take leave in accordance with this policy.

5.16 Crime Victim Leave

The District provides employees who are the victim of a violent felony or serious felony (or the family member of a victim of a violent felony or serious felony) with unpaid leave in order to attend judicial proceedings related to the crime. A family member under this policy includes a spouse, domestic partner, child, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father, or stepfather.

When the need for leave is foreseeable, you must provide documentation of the scheduled proceeding. Such notice is typically given to the victim of the crime by a court or government agency setting the hearing, a district attorney or prosecuting attorney's office, or a victim/witness office. 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 will be unpaid, unless you choose to take paid time off, such as accrued vacation or personal holiday.

The District will not retaliate against employees who request or take leave in accordance with this policy.

5.17 Military Leave (USERRA)

The District complies with applicable federal and state law regarding military leave and re-employment rights. A military leave of absence will be granted to members of the uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA, with amendments) and all applicable state law. You must submit documentation of the need for leave to your Supervisor or appropriate department. When returning from military leave of absence, you will be reinstated to your previous position or a similar position, in accordance with state and federal law. You must notify your Supervisor of your intent to return to employment based on requirements of the law. For more information regarding status, compensation, benefits, and reinstatement upon return from military leave, contact your Supervisor or appropriate department.

5.18 Jury Duty Leave

The District encourages employees to fulfill their civic duties related to jury duty. If you are summoned for jury duty, notify your Supervisor as soon as possible to make scheduling arrangements.

All employees will be compensated for time spent on jury duty, less jury fees.

The District reserves the right to require employees to provide proof of jury duty service to the extent authorized by law.

The District will not retaliate against employees who request or take leave in accordance with this policy.

5.19 Leave for Victims of Crime or Abuse

The District provides employees who are victims of crime or abuse with unpaid leave to:

- Seek medical attention for injuries caused by the crime or abuse.

5.20 Military Spouse Leave

The District provides up to 10 days of job-protected, unpaid leave to employees who are the spouse or registered domestic partner of a military member who is home on leave during a period of military deployment.

To be eligible for military spouse leave you must:

- Work an average of 20 or more hours per week; and
- Be the spouse or registered domestic partner of a member of the Armed Forces, National Guard, or Reserves who is on leave from deployment during a period of military conflict.

Notify your Supervisor of your need for leave within two business days from the day you receive official notice that your spouse or registered domestic partner will be on leave from deployment. You must also provide written documentation certifying that your spouse or registered domestic partner will be on leave from deployment during the time you are requesting leave.

You may elect to use any available paid time off for which you are eligible under District policy for the purpose of taking military spouse leave, and such paid time off will run concurrently with the leave afforded under this policy.

The District will not discriminate or retaliate against employees who request or take leave in accordance with this policy.

5.21 Paid Family Leave Insurance

California's Paid Family Leave (PFL) insurance program provides eligible employees with up to eight weeks of partial wage replacement in any 12-month period to take time off from work to:

- Bond with a new child (either by birth, adoption, or foster care placement);
- Care for a seriously ill family member (child, parent, parent-in-law, grandparent, grandchild, sibling, spouse, or registered domestic partner); or
- Participate in a qualifying exigency related to the covered active duty, or call to covered active duty, of your spouse, domestic partner, child, or parent in the U.S. Armed Forces.

The 12-month period begins on the day a claim is submitted.

PFL insurance is funded entirely by workers through state disability insurance (SDI) payroll deductions. If you are currently receiving benefits from SDI or workers' compensation insurance, you may not be eligible to receive PFL benefits. The California PFL insurance program does not create a right to a leave of absence, job protection, or job reinstatement.

The PFL insurance program makes benefits available to eligible employees through the California Employment Development Department (EDD). Apply for PFL insurance directly with the EDD. Contact the EDD for information on eligibility or to obtain a claim form. Medical and other documentation may be required.

5.22 Pregnancy Disability Leave

If you are disabled by pregnancy, childbirth, or a related medical condition, the District will provide you with up to four months of unpaid pregnancy disability leave (PDL).

Eligibility

To be eligible for PDL, you must suffer from a pregnancy-related disability. A **pregnancy-related disability** is a physical or mental condition related to pregnancy or childbirth that prevents you from performing the essential duties of your job, or would cause undue risk to you or your pregnancy's successful completion.

You will be required to use available sick leave during PDL; however, you may opt to use any available vacation during your PDL in order to receive compensation.

If you are on PDL for eight or more consecutive calendar days, you may be eligible for partial wage replacement benefits under the California State Disability Insurance (SDI) program. You are responsible for applying for these benefits and can obtain forms from your health care provider.

Certification and Fitness for Duty Requirements

When requesting PDL, you must provide certification from a health care provider to qualify for leave. Such certification must be provided within 15 days of the request for leave unless it is not practicable under the circumstances despite your diligent efforts. Failure to provide certification may result in leave being delayed, denied, or revoked. At the discretion of the District, you may also be required to obtain a second and third certification from another health care provider at District expense (except for military care leave). Recertification of the continuance of a serious health condition or an injury/illness of a military service member will also be required at appropriate intervals.

Temporary Transfer and Other Accommodations

If you are suffering from a pregnancy related disability, you are entitled to a temporary transfer to another position or other reasonable accommodation based on the pregnancy-related disability if you request the transfer or reasonable accommodation and the request is based on the medical certification of a health care provider that a transfer or reasonable accommodation is medically advisable, and the request can be reasonably accommodated by the District. All employees who are transferred to accommodate a pregnancy-related disability have the same reinstatement and other rights described below with respect to pregnancy-related disability leaves.

The District may also require you to transfer temporarily to an available alternative position with the same pay and benefits in order to accommodate your need for intermittent leave or a reduced work schedule.

Benefits

If the District provides you with health benefits under a group health plan, the District will maintain and pay for your health coverage at the same level and under the same conditions as coverage would have been provided if you had not taken pregnancy disability leave. If you do not return to work at the end of your pregnancy disability leave, the District may recover the payment for your premiums under certain circumstances.

Return to Work

Upon returning to work at the end of leave, you will be placed in your original job or an equivalent job with equivalent pay and benefits. You will not lose any benefits that accrued before leave was taken. You may not, however, be entitled to discretionary raises, promotions, bonus payments, or other benefits that become available during leave.

At the completion of PDL, you will be required to obtain a release to return to work from your health care provider stating that you are able to resume your original job or duties.

Failure to Return

If you fail to return to work or fail to make a request for an extension of leave prior to the expiration of the leave, you will be deemed to have voluntarily terminated your employment.

Alternative Employment

While on leave of absence, you may not work or be gainfully employed either for yourself or others unless express, written permission to perform such outside work has been granted by the District. If you are on a leave of absence and are found to be working elsewhere without permission, you will be automatically terminated.

Reproductive loss leave will run concurrently with any other leave entitlement when permissible under applicable law.

Notice

Provide notice of your need for reproductive loss leave as soon as practical.

All information received by the District regarding your request for reproductive loss leave will be treated as confidential and will not be disclosed except to internal personnel or counsel, as necessary, or as required by law.

Retaliation

The District will not retaliate against employees who request or take leave in accordance with this policy.

5.24 School and Childcare Activities Leave

The District will provide employees, who have one or more children that are of the age to attend a licensed childcare provider, kindergarten, or grades 1 through 12, with up to 40 hours of leave per year to participate in the following:

- Finding, enrolling, or re-enrolling the child in a school or with a licensed childcare provider;
- Participating in school or childcare-related activities; or
- Addressing a childcare provider or school emergency.

Leave is limited to eight hours in any calendar month.

To be eligible for leave, you must be a parent, guardian, step-parent, foster parent, grandparent, or a person who stands in the place of a parent (in loco parentis) to a child.

If you wish to take leave to enroll a child in school or with a childcare provider or to participate in a school or childcare-related activity, you must provide reasonable advance notice to your Supervisor. If you need to take leave to address a childcare provider or school emergency, you must provide notice to your Supervisor as soon as practicable. You may be required to provide documentation from the school or childcare provider verifying that you participated in the school or childcare activity.

If both parents of a child work for the District, only one parent — the first to provide notice — may take the time off, unless the District approves both parents taking time off simultaneously.

You are required to use accrued vacation time for this leave.

The District will not retaliate against employees who request or take leave in accordance with this policy.

5.25 Voting Leave

If your work schedule prevents you from voting on Election Day, the District will allow you a reasonable time off to vote.

If an employee anticipates taking more than two hours off for voting, the employee should notify the appropriate supervisor of this need. The time off for voting shall be only at the beginning or the end of the regular working shift, whichever allows the most free time for voting and the least time off from the regular working shift, unless otherwise mutually agreed.

If the employee on the third working day prior to the day of election, knows or has reason to believe that time off will be necessary to be able to vote on election day, the employee shall give the employer at least two working days' notice that time off for voting is desired, in accordance with this section.

respond to any disciplinary action taken. Understand that while the District is concerned with consistent enforcement of our policies, we are not obligated to follow any disciplinary or grievance procedure and, depending on the circumstances, you may be disciplined or terminated without any prior warning or procedure.

6.3 Grievance and Conflict Resolution Process

The District strives to provide a comfortable, productive, legal, and ethical work environment. To this end, we want you to bring any problems, concerns, or grievances you have about the work place to the attention of your Supervisor and, if necessary, to Human Resources or upper level management. To help manage conflict resolution we have instituted the following problem solving procedure:

If you believe there is inappropriate conduct or activity on the part of the District, management, its employees, vendors, customers, or any other persons or entities related to the District, bring your concerns to the attention of your Supervisor at a time and place that will allow the person to properly listen to your concern. Most problems can be resolved informally through dialogue between you and your immediate Supervisor. If you have already brought this matter to the attention of your Supervisor before and do not believe you have received a sufficient response, or if you believe that person is the source of the problem, present your concerns to Human Resources or upper level management. Describe the problem, those persons involved in the problem, efforts you have made to resolve the problem, and any suggested solution you may have.

6.4 Outside Employment

Outside employment that creates a conflict of interest or that affects the quality or value of your work performance or availability at the District is prohibited. The District recognizes that you may seek additional employment during off hours, but in all cases expects that any outside employment will not affect your attendance, job performance, productivity, work hours, or scheduling, or would otherwise adversely affect your ability to effectively perform your duties or in any way create a conflict of interest. Any outside employment that will conflict with your duties and obligations to the District should be reported to your Supervisor. Failure to adhere to this policy may result in discipline up to and including termination.

6.5 Resignation Policy

The District hopes that your employment with the District will be a mutually rewarding experience; however, the District acknowledges that varying circumstances can cause you to resign employment. The District intends to handle any resignation in a professional manner with minimal disruption to the workplace.

Notice

The District requests that you provide a minimum of two weeks' notice of your resignation. Provide a written resignation letter to your Supervisor. If you provide less notice than requested, the District may deem you to be ineligible for rehire, depending on the circumstances.

The District will consider an employee to have voluntarily terminated their employment if they do any of the following:

- Resigns from the District;
- Does not return from an approved leave of absence on the dated specified by the District; or
- Fails to report to work and fail to call in for three (3) or more workdays in a row.

Final Pay

The District will pay separated employees in accordance with applicable laws and other sections of this handbook.

- Use of obscene or harassing (as defined by our EEO policy) language in the workplace.
- Engaging in outside employment that interferes with your ability to perform your job at this District.
- Gambling on District premises.
- Lending keys or keycards to District property to unauthorized persons.

Nothing in this policy is intended to limit your rights under the National Labor Relations Act, or to modify the at-will employment status.

If an employee is discharged the employee may follow the Skelly process. An employee who has been discharged, reduced in rank, or suspended for longer than ten working days, may appeal the action to the Board by notifying the General Manager and the Board within fifteen day after receipt of the notice. Upon receipt of an appeal from an employee, the Board shall set a date for hearing. The Board may sit en banc or assign the matter to one or more directors to hear and decide the appeal. The Board, or the hearing officer, may compel the attendance of witnesses to testify under oath. The Skelly process procedure in Board Policy 300 is the employee's sole recourse for an appeal of disciplinary action.

7.0 General Policies

7.1 Personal Appearance

Your personal appearance reflects the reputation, integrity, and public image of MOJAVE AIR & SPACE PORT. All employees are required to report to work neatly groomed and dressed. You are expected to maintain personal hygiene habits that are generally accepted in the community, including clean clothing, good grooming and personal hygiene, and appropriate attire for the workplace and the work being performed. This may include wearing uniforms or protective safety clothing and equipment, depending upon the job. Use common sense and good judgment in determining what to wear to work.

Fragrant products, including but not limited to perfumes, colognes, and scented body lotions or hair products, should be used in moderation out of concern for others with sensitivities or allergies.

In addition, the District provides the following:

- The District will provide pants, shirts, and laundry service for full-time employees working in the Maintenance Department. Employees in the Operations Department will be provided with five uniform shirts upon hire. Employees that are provided uniforms are expected to come to work in the provided uniforms. The District will report to CalPERS annually at the end of the fiscal year total uniform compensation, not to exceed \$750.00, paid to employees hired by the District on or before December 31, 2012, or who are defined as CalPERS Classic Members.
- Employees required to wear safety or uniform boots shall be reimbursed for the actual cost of acquiring the boots in an amount not to exceed \$250.00 per fiscal year. The reimbursement is for one pair in a fiscal year.

The District, in accordance with applicable law, will reasonably accommodate employees with disabilities or religious beliefs that make it difficult for them to comply fully with the personal appearance policy unless doing so would impose an undue hardship on the District. Contact your Supervisor to request a reasonable accommodation.

Failure to comply with the personal appearance standards may result in being sent home to groom or change clothes. Frequent violations may result in disciplinary action, up to and including termination of employment.

7.2 Personal Cell Phone/Mobile Device Use

While the District permits employees to bring personal cell phones and other mobile devices (i.e. smart phones, tablets, laptops) into the workplace, you must not allow the use of such devices to interfere with

7.4 Social Media

The District acknowledges that social media has become an integral part of modern life that provides us with unique opportunities to communicate and share information with others. However, we also want to educate employees that their social media use can:

- Pose risks to the District's confidential and proprietary information, reputation, and brand;
- Expose the District to discrimination, harassment, and other claims; and
- Jeopardize the District's compliance with business rules and laws.

To minimize legal risks, avoid loss of productivity and distraction, and ensure that the District's IT resources and communications systems are used appropriately, all employees must abide by the following policy regarding social media use.

Social Media

For purposes of this policy, **social media** refers to any means of posting content on the internet, including personal websites, social networking sites, blogs, chat rooms, and other online platforms, whether affiliated with the District or not.

Use Good Judgment

While the District respects your right to personal expression, you should assume that anything you do on social media—whether on a business or personal account—could be viewed by a colleague, supervisor, partner, supplier, competitor, investor, customer, or potential customer. As such, any social media activity, even from your personal account, reflects on the District as well as on yourself. It is important to remember that anyone can see what you post (or what you posted five years ago).

Guidelines for Posting on Social Media

When posting:

- Protect trade secrets, intellectual property, and confidential information related to the District.
- Do not make statements that are maliciously false or defamatory or would constitute unlawful harassment or discrimination.
- Do not make express or implied threats of violence.
- Avoid linking personal accounts to the District as an official source.
- Respect copyright, trademark, and third-party rights.
- Do not use the District's email addresses to register on social media platforms for personal use.
- If you identify yourself as an employee of MOJAVE AIR & SPACE PORT on your personal account and are posting about the District, make it clear that your views are your own and that you are not speaking on behalf of the District.

Using Social Media at Work

Do not use social media while on your work time, unless it is work related as authorized by your Supervisor or consistent with policies that cover equipment owned by the District.

Media Contacts

If you are not authorized to speak on behalf of the District, do not speak to the media on behalf of the District. Direct all media inquiries for official District responses to the Director of Administration.

Retaliation

Retaliation against those reporting policy violations or cooperating in investigations is prohibited. Retaliatory actions may lead to disciplinary measures.

Violations

- organizations, without specific authorization from management to do so.
- Sending or receiving confidential or copyrighted materials without prior authorization.
- Soliciting personal business opportunities, or personal advertising.
- Gambling, monitoring sports scores for monetary gain, or playing electronic games.

User Passwords: Regardless of the circumstances, individual passwords must never be shared or revealed to anyone else besides the authorized user and issuer.

User Identity: Misrepresenting, obscuring, suppressing, or replacing a user's identity on an electronic communications system is forbidden. The username, electronic mail address, organizational affiliation, and related information included with electronic messages or postings must reflect the actual originator of the messages or postings.

No Expectation of Privacy: District may monitor and collect data about electronic communications and Internet use. Employees should expect that all information created, transmitted, downloaded, received, or stored on District computers, or other electronic devices may be accessed by the District at any time, without prior notice. Employees should not assume that they have an expectation of privacy or confidentiality in such messages or information (whether or not such messages or information is password protected), or that deleted messages are necessarily removed from the system. **Regular Message Monitoring:** Contents of electronic communications may be monitored, and the usage of electronic communications systems will be monitored to support operational, maintenance, auditing, security, and investigative activities. The District reserves the right to disclose any electronic messages to law enforcement officials without prior notice to any employees who may have sent or received such messages. Employees should structure their electronic communications in recognition of the fact that District will, from time to time, examine the content of electronic communications.

Employees are reminded that all messages are District records. Therefore, District reserves the right to access and disclose all messages sent over its electronic messaging systems or stored on its computers and electronic devices.

Contents of Messages: Workers must not use profanity, obscenities, or derogatory remarks in electronic messages. Such remarks—even when made in jest—may create legal issues. Special caution is warranted because backup and archival copies of electronic mail may actually be more permanent and more readily accessed than traditional paper communications. Therefore, transmission of obscene, harassing or otherwise inappropriate messages is strictly prohibited.

Message Forwarding: Recognizing that some information is intended for specific individuals and may not be appropriate for general distribution, electronic communications users should exercise caution when forwarding messages. District's sensitive information must not be forwarded to any party outside District without the prior approval of a local Department Supervisor. Blanket forwarding of messages to parties outside District is prohibited unless the prior permission of the CEO/General Manager has been obtained.

Handling Information About Cyber Security: Employees must promptly report all information security alerts, warnings, suspected vulnerabilities, and the like to the Director of Technology. Employees are prohibited from utilizing District systems to forward such information to others, whether internal or external to District without prior authorization from the Director of Technology.

Public Representations: No media release or advertisement, Internet posting, electronic bulletin board posting, electronic mail message, voice mail message, or any other public representation about District may be issued unless it has first been approved by the CEO/General Manager prior to usage.

User Backup: If an electronic mail message contains information relevant to the completion of a business transaction, contains potentially important reference information, or has value as evidence of a District management decision, it should be retained for future reference. Most electronic mail messages will not fall into these categories, and accordingly can be erased after receipt. Electronic mail systems are not intended for the archival storage of important information, as stored electronic mail messages can be periodically expunged by systems administrators, mistakenly erased by users, and otherwise lost when system problems occur.

Policy Against Workplace Harassment

The District has a strict policy against all types of workplace harassment, including sexual harassment and other forms of workplace harassment based upon an individual's race (including, but not limited to, hair texture and protective hairstyles such as braids, locks, and twists), color, religion, religious creed (including religious dress and grooming practices), national origin, ancestry, citizenship, physical or mental disability, medical condition (including cancer and genetic characteristics), genetic information, marital status, reproductive health decision-making, sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender (including gender identity and gender expression), age (40 years and over), sexual orientation, veteran and/or military status, protected medical leaves (requesting or approved for leave under the Family and Medical Leave Act or the California Family Rights Act), domestic violence victim status, political affiliation, off-duty and off-premises use of cannabis, or any other status protected by federal, state, or local laws.

This policy protects all applicants and employees (including managers and supervisors) from unlawful harassment and discrimination. This includes harassment by employees, managers, supervisors, contractors, interns, volunteers, vendors, suppliers, and customers. In addition, this policy extends to conduct connected with an individual's work, even when the conduct takes place away from the workplace, such as a business trip or business-related social function.

Harassment

Harassment means disrespectful or unprofessional conduct, including disrespectful or unprofessional conduct based on an individual's race (including, but not limited to, hair texture and protective hairstyles such as braids, locks, and twists), color, religion, religious creed (including religious dress and grooming practices), national origin, ancestry, citizenship, physical or mental disability, medical condition (including cancer and genetic characteristics), genetic information, marital status, reproductive health decision-making, sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender (including gender identity and gender expression), age (40 years and over), sexual orientation, veteran and/or military status, protected medical leaves (requesting or approved for leave under the Family and Medical Leave Act or the California Family Rights Act), domestic violence victim status, political affiliation, off-duty and off-premises use of cannabis, or any other status protected by federal, state, or local laws.

While it is not possible to list all the circumstances that may constitute other forms of workplace harassment, some examples of conduct that may constitute workplace harassment include:

- The use of disparaging or abusive words or phrases, slurs, negative stereotyping, or threatening, intimidating, or hostile acts that relate to the above-protected categories;
- Written or graphic material that insults, stereotypes, or shows aversion or hostility toward an individual or group because of one of the above-protected categories and that is placed on walls, bulletin boards, or elsewhere on our premises, in emails or voicemails, or otherwise circulated in the workplace; and
- A display of symbols, slogans, or items that are associated with hate or intolerance toward any select group.

Sexual Harassment

Sexual harassment means harassment based on sex or conduct of a sexual nature and includes harassment based on sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity, or gender expression. It may include all of the actions described above as harassment, as well as other unwelcome sex-based conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities, or other verbal or physical conduct of a sexual nature. Sexually harassing conduct need not be motivated by sexual desire and may include situations that began as reciprocal relationships, but that later cease to be reciprocal.

Sexual harassment is generally categorized into the following two types:

- Quid pro quo sexual harassment ("this for that"), which includes:

investigation to the complaining individual, to the alleged harasser, and, if appropriate, to others who are directly involved. If our policy against harassment is found to have been violated, appropriate corrective action, up to and including termination, will be taken against the harasser so that further harassment will be prevented. Both the rights of the alleged harasser and the complainant will be considered in any investigation and subsequent action.

Discipline for violation of this policy may include, but is not limited to, reprimand, suspension, demotion, transfer, and discharge. If the District determines that harassment or discrimination occurred, corrective action will be taken to effectively end the harassment. As necessary, the District may monitor any incident of harassment or discrimination to assure the inappropriate behavior has stopped. In all cases, the District will follow up as necessary to ensure that no individual is retaliated against for making a complaint or cooperating with an investigation.

In addition to our internal complaint procedure, employees may also contact either the Equal Employment Opportunity Commission (EEOC) or the California Civil Rights Department (CRD) to report unlawful harassment. You must file a complaint with the CRD within three years of the alleged unlawful action. The EEOC and the CRD serve as neutral factfinders and will attempt to assist the parties to voluntarily resolve their disputes. For more information, contact the Office of Human Resources or the nearest EEOC or CRD office.

Filing of Complaints Outside Company

You may file formal complaints of discrimination, harassment, or retaliation with the agencies listed below. Contact these agencies directly for more information about filing processes.

California Civil Rights Department

2218 Kausen Drive, Suite 100

Elk Grove, CA 95758

Voice: 800-884-1684

TTY: 800-700-2320

California Relay Service: 711

Email: contact.center@dfeh.ca.gov

Main website: <https://www.calcivilrights.ca.gov>

Online sexual harassment training courses: <https://www.calcivilrights.ca.gov/shpt/>

U.S. Equal Employment Opportunity Commission

450 Golden Gate Avenue 5 West

P.O. Box 36025

San Francisco, CA 94102-3661

Phone: 800-669-4000

Fax: 415-522-3415

TTY: 800-669-6820

ASL Video Phone: 844-234-5122

<https://www.eeoc.gov/field-office/sanfrancisco/location>

8.0 Safety and Loss Prevention

8.1 Drug and Alcohol Policy

The District is committed to providing a safe, healthy, and productive work environment. Consistent with this commitment, it is the intent of the District to maintain a drug and alcohol-free workplace. Being under the influence of alcohol, illegal drugs (as classified under federal, state, or local laws), or other impairing substances while on the job may pose a serious health and safety risk to others, and will not be tolerated.

Prohibited Conduct

while on the job shall constitute per se violations for which termination is authorized. Any conduct on the job that constitutes, or knowingly aids and abets in the manufacture, distribution, dispensing, transfer, or sale of controlled substances to any person, or that constitutes the provision of alcohol to a minor, shall constitute a per se violation of this policy for which termination is authorized.

When an employee is placed on medication from a health care provider licensed by the State of California to prescribe medications, which may impair his or her ability to perform essential job functions, that employee must immediately notify his or her supervisor before returning to work. The District reserves the right to require employees to provide proof that any prescribed medication will not impair the employee in the performance of normal duties and will not create an unsafe environment for other District employees or the public. For purpose of this policy a prescribed medication which is not prescribed for the subject employee is an "illegal drug."

An employee may seek counseling or treatment for alcohol or substance abuse privately, or through a District health insurance provider. An employee who voluntarily discloses a substance abuse problem will not be disciplined solely based on the above-described drug or substance abuse if the employee voluntarily agrees to a certified rehabilitation program and testing and remains in compliance with this policy.

An employee reasonably suspected of violating this policy, and who has not disclosed a substance abuse problem, will be requested to submit to substance testing which may require the employee to provide a sample of urine, saliva, or blood for chemical analysis. Any unreasonable refusal by the employee to submit to such testing may result in disciplinary action, up to and including termination. Reasonable suspicion exists when significant and observable changes in employee performance, appearance, behavior, speech, etc., provide reasonable suspicion of being under the influence of drugs and/or alcohol. A refusal to consent will not be deemed to be "reasonable" unless the employee had a right to refuse to give such consent under applicable state or federal law.

No employee should consider any vehicle, desk, locker, toolbox or other facility, equipment, or property of the District to be his or her "private" property. The District may conduct unannounced searches of District vehicles, desks, lockers, toolboxes, facilities, equipment, computers and District property for illegal drugs or alcohol, or other unlawful contraband or unlawful use of equipment. Employees who do not cooperate during such searches will be considered insubordinate.

Searches of employees and their personal property may be conducted when there is reasonable suspicion that an employee is in violation of this policy. Any refusal to submit to a search could result in disciplinary action, up to and including termination.

Violation of this policy may result in the following, depending on the severity of the violation:

- An employee testing positive for a controlled substance will be immediately placed on leave and may be required to complete a certified rehabilitation program approved by the District. The employee may be offered a "Last Chance Agreement" detailing terms under which the employee may be allowed to return to work following successful completion of a rehabilitation program. Failure of the employee to complete the program and required conditions (which may include follow-up testing) will result in immediate termination.
- Any employee testing positive for a controlled substance within one year following rehabilitation will be terminated immediately.

Any employee involved in the manufacture, distribution, or sale of a controlled substance, whether or not such action occurred at the workplace, or found to have provided a controlled substance to another employee, will be terminated. Employees who have been made a conditional offer of employment must submit to and pass a drug-screening test. Offers of employment are conditional and subject to the passing of a drug screen for prohibited substances. Failure of an applicant to pass or to submit to the drug screen will result in the applicant's disqualification for employment.

- Employees must provide, within twenty-four (24) hours of a request, verification of a current valid prescription for any potentially impairing drug or medication identified when a drug screen/test is positive. The prescription must be in the employee's name.

General Information / Process:

- District will make every effort to protect the confidentiality of drug and/or alcohol test results.
- Non-Compliance with a supervisor's request to submit to a fitness for duty test and/or drug or alcohol test under these policies, noncompliance with a supervisor's request that the employee leave the work area, or any other reasonable request designed to safeguard the quality of care, the working environment and/or safety of the workplace, the employees or the public, is viewed as insubordination and is subject to appropriate disciplinary action.
- Negative test results warrant re-instatement and pay for the time off work, unless other factors warrant termination or discipline, such as an admission of current illegal drug use or poor performance.
- Violation of any aspect of this policy may lead to corrective action, up to and including immediate termination of employment. Such violation may also have legal consequences.
- All test results will be reviewed by an appropriate licensed medical professional to ensure the positive results are not caused by legitimate use of prescription medication.
- Test results are not revealed to outside agencies or employees unless required by legal process including licensing agencies, unless the information is placed at issue in a formal dispute between the employer and employee, to the extent necessary to administer an employee benefit plan (such as a health insurance plan), or where the information is needed by medical personnel to treat an employee during an emergency when the employee is unable to authorize disclosure. (31 C.F.R. 56.20(c).)
- An employee suspecting another employee is under the influence, or smells of alcohol, is obligated to inform that employee's supervisor of his/her suspicion.

8.3 General Safety

It is the responsibility of all District employees to maintain a healthy and safe work environment, report any health or safety hazards, and follow the District health and safety rules. Failure to do so may result in disciplinary action, up to and including termination of employment. The District also requires that all occupational illnesses or injuries be reported to your Supervisor as soon as reasonably possible and that an occupational illness or injury form be completed on each reported incident.

8.4 Workplace Tobacco Usage

The District is concerned about the detrimental effects of smoking and secondhand smoke inhalation. Smoking (including the use of electronic vaping products such as e-cigarettes) is prohibited in the following:

- District offices.
- District vehicles.
- Tenant areas.
- Restrooms.
- Areas where signs are posted prohibiting smoking.
- Other areas defined by the employer.

The District also prohibits the use of smokeless tobacco (e.g., chewing tobacco, dip, and snuff) in such areas.

The District will not discriminate against employees based on their off-premises, off-duty tobacco usage.

8.5 Workplace Violence

As the safety and security of our employees, vendors, contractors, and the general public is in the best interests of the District, we are committed to working with our employees to provide a work environment free from violence, intimidation, and other disruptive behavior.

Zero Tolerance Policy

Access to shade is permitted at all times. Cool-down periods are not limited in frequency and are considered time worked.

When taking a preventative cool-down rest period:

- You will be monitored and asked if you are experiencing any symptoms of heat illness.
- You will be encouraged to remain in the shade.
- You will not be ordered back to work until any signs or symptoms of heat illness have abated, but in no event sooner than five minutes after accessing shade, excluding the time needed to access the shade.

The District provides fresh, pure, and suitably cool drinking water at no charge. When the work environment is hot, you are encouraged to frequently drink small cups of water, with up to four cups (one quart or more) per hour recommended, to stay hydrated.

The District has in place effective emergency response procedures if you show signs or report symptoms of heat illness while taking a preventative cool-down rest period.

You must immediately report to your Supervisor if you experience any symptoms or signs of heat illness or see signs of heat illness in co-workers so that the District can respond with medical attention, as appropriate.

The District will not discriminate or retaliate against employees who take preventative cool-down rest periods in accordance with this policy.

9.0 Trade Secrets and Inventions

9.1 Confidentiality and Nondisclosure of Trade Secrets

As a condition of employment, District employees are required to protect the confidentiality of District and tenant trade secrets, proprietary information, and confidential commercially-sensitive information.

If you have information that leads you to suspect that employees are sharing such information in violation of this policy and/or competitors are obtaining such information, you are required to inform your Supervisor or appropriate department.

Violation of this policy may result in disciplinary action up to and including termination, and may subject the violator to civil liability.

10.0 Customer Relations

10.1 Customer, Tenant, and Visitor Relations

The District strives to provide the best products and services possible to our customers and tenants. Our customers and tenants support the District and generate your wages. You are expected to treat every customer, tenant, or visitor with the utmost respect and courtesy during your working time. You should never argue or act in a disrespectful manner towards a visitor or customer during your working time. If you are having problems with a customer, tenant, or visitor, notify your Supervisor immediately. If a customer, tenant, or visitor voices a suggestion, complaint, or concern regarding our products or services, inform your Supervisor or a member of management. Lastly, make every effort to be prompt in following up on customer, tenant, or visitor orders or questions. Positive customer, tenant, and visitor relations will go a long way to establishing our District as a leader in its field.

After receiving your request, the District will engage in an interactive dialogue with you to determine the precise limitations of your disability and explore potential reasonable accommodations that could overcome those limitations. Where appropriate, we may need your permission to obtain additional information from your medical provider. All medical information received by the District in connection with a request for accommodation will be treated as confidential.

The District encourages you to suggest specific reasonable accommodations that you believe would allow you to perform your job. However, the District is not required to make the specific accommodation requested by you and may provide an alternative accommodation, to the extent any reasonable accommodation can be made without imposing an undue hardship on the District.

Where state or local law provides greater protections to employees than federal law, the District will apply the law that provides the greatest benefit to employees.

If leave is provided as a reasonable accommodation, such leave may run concurrently with leave under the federal Family and Medical Leave Act and/or any other leave where permitted by state and federal law.

The District will not discriminate or retaliate against employees for requesting an accommodation.

11.3 Accommodations for Victims of Crime or Abuse

The District will provide reasonable accommodations to employees who are the victims of domestic violence, sexual assault, or stalking who request an accommodation for their safety while at work, provided the accommodation does not create an undue hardship on the District.

Reasonable accommodations may include the implementation of safety measures such as:

- A transfer, reassignment, or modified schedule.
- A change in telephone number or workstation, or installed lock.
- Assistance in documenting domestic violence, sexual assault, stalking, or other crime that occurs in the workplace.
- An implemented safety procedure or other adjustment to a job structure, workplace facility, or work requirement in response to domestic violence, sexual assault, stalking, or other crime.
- Referral to a victim assistance organization.

Upon receiving a request, the District will engage in a timely, good faith, and interactive process with you to determine effective reasonable accommodations.

If you no longer need an accommodation, you must notify the District that the accommodation is no longer needed. If circumstances change and you need a new accommodation, you must request one.

Certification

When requesting a reasonable accommodation, you will be asked to submit a signed, written statement certifying that the accommodation is for an authorized purpose. You may also be asked to provide documentation that demonstrates your status as a victim of domestic violence, sexual assault, stalking, or ongoing circumstances related to the crime or abuse, such as:

- A police report showing that you were a victim.
- A court order protecting you from the perpetrator or other evidence from the court or prosecuting attorney that you appeared in court.
- Documentation from a medical professional, domestic violence counselor, sexual assault counselor, victim advocate, health care provider, or counselor showing that your absence was due to treatment for injuries from the crime or abuse.
- Any other form of documentation that reasonably verifies that the crime or abuse occurred.

Unpaid Leave

11.4 Accommodations for Nursing Mothers

The District is required by law to provide requesting employees who are nursing mothers with certain accommodations to express milk. Accordingly, the District will provide nursing mothers with:

- Reasonable break time to express milk for their infant child each time the mother has the need to express milk; and
- A private room or other location, other than a restroom, in close proximity to their work area that is shielded from view and free from intrusion, to express breast milk.

Requesting Accommodation

If you have the need for accommodation, contact your Supervisor. If the District cannot provide break time or a location that complies with the above, the District will provide you with a written response.

Break Times

Regarding break times, employees may use regular paid rest breaks or may take other reasonable break time when needed. If possible, the break time should run concurrently with scheduled meal and rest breaks already provided to you. If the break time cannot run concurrently with meal and rest breaks already provided or additional time is needed, break times will be unpaid except where federal or state law dictates otherwise.

Lactation Room or Location

The provided lactation room or location will:

- Be safe, clean, and free of hazardous materials.
- Contain a surface to place a breast pump and personal items.
- Contain a place to sit.
- Have access to electricity or alternative devices, including, but not limited to, extension cords or charging stations, needed to operate an electric or battery-powered breast pump.

Multipurpose rooms may be used as lactation space if they satisfy the above requirements; however, use of the room for lactation purposes must take priority over other uses.

Milk Storage

Expressed milk can be stored in District refrigerators. Sufficiently mark or label your milk to avoid confusion for other employees who may share the refrigerator. If a refrigerator cannot be provided, the District will provide another cooling device suitable for storing milk. You may also elect to bring a personal cooler for storage.

Retaliation

The District will not retaliate against employees who request or obtain an accommodation in accordance with this policy.

Right to File Complaint

If you feel the District is not providing you with adequate break time and/or a place to express milk as provided for in Labor Code § 1030, you may file a report/claim with the Labor Commissioner's Bureau of Field Enforcement (BOFE) at the BOFE office nearest your place of employment. The complaint must be filed within three years of the alleged unlawful action.

In addition, if you believe you have been a victim of retaliation for either asserting a right to lactation accommodation or for complaining to the Labor Commissioner about the failure of the District to provide this accommodation, you may file a retaliation claim with the Labor Commissioner's Office pursuant to Labor Code § 98.7. This claim must be filed within six months of the alleged retaliation.

Acknowledgment of Receipt and Review

By signing below, I acknowledge that I have received a copy of the MOJAVE AIR & SPACE PORT Employee Handbook (handbook) and that I have read it, understand it, and agree to comply with it. I understand that the District has the maximum discretion permitted by law to interpret, administer, change, modify, or delete the rules, regulations, procedures, and benefits contained in the handbook at any time with or without notice. No statement or representation by a supervisor, manager, or any other employee, whether oral or written, can supplement or modify this handbook. Changes can only be made if approved in writing by the Board of Directors of the District. I also understand that any delay or failure by the District to enforce any rule, regulation, or procedure contained in the handbook does not constitute a waiver on behalf of the District or affect the right of the District to enforce such rule, regulation, or procedure in the future.

I understand that neither this handbook nor any other communication by a management representative or other, whether oral or written, is intended in any way to create a contract of employment. I further understand that, unless I have a written employment agreement signed by an authorized District representative, I am employed "at-will" (to the extent permitted by law) and this handbook does not modify my "at-will" employment status.

This handbook is not intended to preclude or dissuade employees from engaging in legally protected activities under the National Labor Relations Act (NLRA). This handbook is not intended to violate any local, state, or federal law. No provision or policy applies or will be enforced if it conflicts with or is superseded by any requirement or prohibition contained in federal, state, or local law, or regulation. Furthermore, nothing in this handbook prohibits an employee from reporting concerns to, filing a charge or complaint with, making lawful disclosures to, providing documents or other information to, or participating in an investigation or hearing conducted by the Equal Employment Opportunity Commission (EEOC), National Labor Relations Board (NLRB), Securities and Exchange Commission (SEC), or any other federal, state, or local agency charged with the enforcement of any laws.

This handbook supersedes any previous handbook or policy statements, whether written or oral, issued by MOJAVE AIR & SPACE PORT.

If I have any questions about the content or interpretation of this handbook, I will contact the Director of Administration.

Signature

Date

Print Name