



# EMPLOYEE HANDBOOK

Effective date:

January 1, 2022

Revised December 2021

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By signing, you affirm you have read and understood the Employee Handbook.



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## I. INTRODUCTION

### A. Dominican University of California and Its Mission

Dominican College was founded in 1890 by the Dominican Sisters of San Rafael, and in 1917 became the first Catholic college in California to grant the bachelor's degree to women. Since 1969, Dominican's ownership and operation has belonged entirely to a lay Board of Trustees, ~~an~~ <sup>an</sup> ~~cmce~~ <sup>cmce</sup> ~~e~~ <sup>e</sup> ~~6~~ <sup>6</sup> ~~n~~ <sup>n</sup> ~~g~~ <sup>g</sup> ~~a~~ <sup>a</sup>

## II. GENERAL EMPLOYMENT POLICIES

### A. At-Will Employment Relationship

With the exception of faculty members whose terms of employment are specified in their respective contracts or appointment letters, or covered by a collective bargaining agreement, employment at Dominican is “at-will.” This means that employees may resign from employment at any time and Dominican may terminate the employment relationship at any time, with or without cause or prior notice, as it deems appropriate.

Dominican retains such discretion to take other actions, such as transfer, reassignment or disciplinary action. Employees may be demoted or disciplined, and the terms of their employment may be altered at any time, with or without cause, at the discretion of the University. In addition, because the employment relationship is “at-will,” Dominican may change its employment policies from time to time at its discretion. No manager, supervisor, or staff member of the University has any authority to enter into any agreement for employment for any specified period of time. The only policy not subject to change is the “at-will” employment relationship, which can be modified only via a written agreement signed by Dominican’s President.

### B. Equal Employment Opportunity

Dominican is committed to maintaining diversity in the workplace and equal employment opportunity. To provide equal employment and promotion opportunities to all individuals, employment decisions at Dominican are based on merit, qualifications, and abilities. We do not discriminate in employment opportunities, decisions, or practices on the basis of an individual's race (including hair texture and hairstyle), color, national origin, ancestry, sex (including pregnancy, childbirth and any related medical condition, breastfeeding, and conditions related to breastfeeding), gender (including gender identity and gender expression), age (age 40 and over), marital status, registered domestic partnership status, mental or physical disability, medical condition, religion (including religious dress and grooming practices), sexual orientation, military or veteran status, genetic information, or any other characteristic protected by law. This policy governs all aspects of employment at Dominican, including hiring, assignments, training, promotions, compensation, employee benefits, employee discipline and discharge, and all other terms and conditions of employment.

In addition, in accordance with California law, Dominican does not discriminate against employees on the basis of a lawful change of name, Social Security Number, or federal employment authorization document; receipt of Medi-Cal coverage; or having a California driver’s license with a “federal limits apply” notation. Any member of the University community who would like advice or assistance regarding any incident or action that is perceived as discriminatory, or harassing conduct that would be prohibited under this handbook should contact the Director of Human Resources/Title IX Coordinator. Anyone found to be engaging in any unlawful discrimination will be subject to disciplinary action, up to and including termination of employment. limit6 (o)-6.6 (y)6.3 (m)





interfere with their personal sense of well-being, or affect their ability to perform their job as usual.

## 2. Sexual Harassment

Sexual harassment is a form of prohibited harassment requiring special mention. Sexual harassment is defined as unwelcome sexual conduct of any nature that creates an offensive or hostile work environment, including unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal and physical conduct of a sexual nature. Types of sexual harassment may

include quid pro quo sexual harassment or hostile environment harassment, which are defined in the Title IX Policy and the Discrimination, Harassment, Retaliation Prevention Policy. Sexual harassment, like other forms of prohibited harassment, will not be tolerated.

Sexual harassment is not limited to conduct motivated by sexual attraction or desire. It may occur between members of the opposite sex or members of the same sex, regardless of their sexual orientation. It also may be in the form of non-sexual, offensive conduct directed at an employee because of their gender (including gender identity and gender expression).

The legal standards and consequences of unlawful sexual harassment are still evolving. Dominican's policy is more all-encompassing than what the law prohibits. This is because Dominican's policy rests on the fundamental precept that each employee must treat all others with respect, dignity, and professionalism.

## 3. Reporting a Complaint

Dominican encourages any individual who believes they have been harassed or who has witnessed harassment to report that conduct regardless of the identity of the offender. We also encourage individuals who believe they are being harassed to firmly and promptly notify the offender that their behavior is unwelcome. Because this may be difficult, such direct communication is not a requirement of filing a complaint.

An individual who believes that they have been harassed, or has witnessed or become aware of possible harassment, including any behavior prohibited by 9.6 (e)-3.33c 0 Tw ( )Tj-0.004 sl4e 0.217 0 T2n9B.3 (lain)2.2 (t)



## F. Open Door Policy

Dominican strives for an open environment that encourages employees to participate in decisions affecting them and their daily responsibilities. We believe that open and direct communication will produce a productive workplace, enhance the quality of decisions, and ultimately improve the quality and value of the education and services we deliver.

Employees with job-related concerns or complaints are encouraged to discuss them with their supervisor or any other management representative with whom they feel comfortable. The discussion should occur as soon as possible after the events causing the employee's concern.

We cannot guarantee that Dominican will make the suggested changes or resolve the concern in the way preferred, but voicing concerns will allow us to address them and provide important feedback for us in our efforts to improve Dominican and our work environment. No employee will be disciplined or otherwise penalized for raising a good-faith concern.

This open door policy is an important tool for maintaining Dominican's environment of mutual respect and for resolving individual or group differences informally without fear of retaliation.

## III. EMPLOYMENT STATUS

### A. Employment Categories

Each employee is categorized as full-time or part-time, and as exempt or non-exempt. In addition, certain

employees are classified as temporary. The classification of an employee as full-time or part-time, exempt or non-exempt, or temporary is determined by the nature of the employee's duties and the length of the employee's expected period of employment.

for overtime work (as described in the overtime section of this Handbook).

Employees who have questions about whether they are correctly classified or who believe they have been misclassified should bring their concerns to the attention of their supervisor or to the Human Resources Office as soon as possible. Dominican will re-evaluate the position and make any



A. Job

Employee compensation is reviewed annually. Salary reviews take into account job descriptions and the current market rate basis for compensation. Position market rates are based on an independent Bay Area compensation assessment and are adjusted annually.

Each fiscal year, pending financial ability, the University will consider an across-the-board salary increase to all employees. This institutional salary increase will be contingent on the fiscal priorities for the University. The salary increase may be enacted at any point during the fiscal year and will be included in the paycheck following the effective date of the increase.

When an across-the-board salary increase is distributed, it will be effective for all employees except:

- 1) New employees hired within the six months prior to the effective date of the increase (i.e. if the salary increase is effective 7/1, then it will not apply to any employee hired on or after 1/1);
- 2) Employees who have had any salary or pay increase within the six months prior to the effective date of the increase (same example as above);
- 3) Employees in an interim role with an increased salary that is higher than the annual adjustment amount. (Note: When the employee returns to their previous role at a later date, the salary increase amount for that year will be applied on the effective date of the return to the previous salary.)

## **B. Attendance and Punctuality**

Specific work hours and days are assigned at the time of hire in accordance with departmental needs. Please note that all schedules are subject to change, as necessary.

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Accurately recording time worked is the responsibility of every non-exempt employee. Federal and state laws require Dominican to keep an accurate record of time worked to calculate employee pay and benefits.

Non-exempt employees must record their work hours accurately daily and to note the time they begin and end their workday. Employees must log out before they leave their desks for lunch or leave the office for the day. All non-exempt employees are required to record exact start and end times for their work hours. Non-exempt employees must submit all hours in the timekeeping system for approval according to payroll calendar deadlines.

Failure to comply with Dominican's timekeeping rules may lead to disciplinary action, including immediate dismissal.

#### **D. Breaks and Meal Periods**

Non-exempt employees are provided with appropriate rest periods on each day they work.6 (t)10.9 1 1 Tf12 0 0 12 60.96 5





An employee who wishes to make up time for a personal absence must submit a written request to their supervisor in advance of working make-up time. A written request is always required for which make-up time is requested. The request must state what day the absence occurred, the length of the absence, and the requested make-up time schedule. The make-up time must be scheduled in the same week as the personal absence. Employees and supervisors must work with Payroll to accurately reflect make-up time in the timekeeping system. All make-up time requests are subject to approval by the employee's supervisor. For purposes of make-up time, an employee's regular rate of pay will be used up to 11 hours in a single day where make-up time is scheduled.

#### **H. Compensatory Time Off**

Dominican does not provide compensatory time off to employees who work beyond their normal work hours. Non-exempt employees will receive overtime pay when they work overtime, and may not take time off in lieu of receiving overtime pay. If time needs to be missed and the employee wishes to make the time up, refer to the Make-Up Time policy. Exempt employees receive a fixed salary intended to cover all compensation to which they are entitled, and Dominican does not maintain any compensatory time off plan or arrangement that provides them additional paid time off when they work long hours.

#### **I. Exempt Employee Salaries**

In compliance with state and federal law, exempt employees are paid on a salary basis, meaning they receive a predetermined salary each week that is not subject to reduction based on quantity or quality of work, except



**A. California Sick Leave**

All employees, including part-time and temporary employees, are eligible for California Sick Leave, provided they work at least 30 days within 12 months of their hire date. Dominican will grant 24 hours of paid sick leave to employees covered by this California Sick Leave policy upon hire, and on January 1 each year thereafter. Employees may not use California Sick Leave until 90 days after hire. Unused California Sick Leave will carry over from calendar year to calendar year but will be capped at 48 hours. Adjunct Faculty employees are provided with sick leave in accordance with the Collective Bargaining Agreement.

**B. California State Disability Insurance Benefits**

Employees requiring a leave of absence for a medical disability must notify the Human Resources office. Employees on medical disability leave for eight or more consecutive calendar days may be eligible for

Pursuant to COBRA, eligible employees and their dependents may in most instances continue group health insurance coverage at their own expense after they leave employment with Dominican or otherwise become ineligible for Dominican-provided health benefits. Additional information about COBRA will be furnished to an employee in the event they should leave Dominican or otherwise become ineligible for group health insurance coverage. Employees whose dependents or spouses lose their eligibility for group health insurance coverage should contact the Human Resources Office immediately.

F. California State Water Resources Control Board (CWRB) for Dd( )Tj0-0.72 (ff0 Tk2 Tc 0.012 Tw 21 603 Tw 0.228 0 T



## 1. Vacation Accrual Schedule

Eligible employees, as defined above, accrue (or earn) vacation depending on the length of time they have been employed with Dominican. The accrual schedule below shows accrual rates for full-time employees. Vacation accrual for eligible employees working less than 40 hours is pro-rata based on the number of hours they are regularly scheduled to work.

Employment Category	Length of Employment	Vacation Hours Earned Per Pay Period	Vacation Days Earned on Annual Basis	Maximum Vacation Accrual
Non-Exempt	Date of hire up to 3 years	3.33 hours	10 days	20 days
	3+ years	5.00 hours	15 days	25 days
Exempt	Date of hire up to 3 years	5.00 hours	15 days	25 days
	3+ years	6.67 hours	20 days	30 days
VPs, Deans, President	Date of hire up to 3 years	6.67 hours	20 days	30 days
	3+ years	8.33 hours	25 days	35 days

## 2. Maximum Accrual

Employees are encouraged to take their vacation during the service year in which it is earned. If this is not possible, employees may accumulate unused vacation up to their current annual vacation entitlement plus 10 working days. Once an employee's unused vacation balance reaches this maximum, the employee will stop earning vacation. When the employee has taken some vacation time and the employee's unused vacation balance drops below the maximum, the employee will begin earning vacation again in accordance with the accrual schedule. An employee who is on an unpaid leave of absence does not earn vacation. An employee who leaves Dominican will be paid for any earned and unused vacation.

## 3. Taking Vacation

Vacation time can be taken only with the prior permission of the employee's supervisor. Use of accrued vacation is discouraged within the first six months of employment. A request for time-off must be submitted to your supervisor for approval in our timekeeping system. Vacation requests must be

Eligible employees receive three personal days a year to use as floating holidays. For example, they may be used to celebrate holidays not observed by the University, or to celebrate a birthday or anniversary. Personal days may be used on any day chosen by the employee; they need not be used on the actual date of the holiday or celebration.

Personal days can be taken only with prior permission of the employee's supervisor. Personal days are granted each year on the first of January. Personal days must be used in the year they are earned; they do not roll (o)-6.6 r ie72.9 rm



Eligible employees scheduled to work less than 40 hours accrue sick leave on a pro-rata basis. Sick leave may be accrued up to a maximum of 40 days of sick leave, at

- The spouse, domestic partner, significant other, parent, child, step-parent, step-child, grandparents, siblings, aunts, uncles, nieces, nephews, and cousins of an employee.
- The parent, sibling or child of the employee's spouse, domestic partner, or significant other.
- Other definitions of family may fall under the Bereavement Leave policy. Please reach out to the Human Resources Office if you have questions.

If an employee requires more than the granted bereavement leave time off, they may request unpaid leave or use any accrued time.

Accrued vacation or personal time may be used to attend the funeral of someone other than a family member as defined above.

#### **K. Sick Leave Sharing Program**

See separate Administrative Policy.

#### **L. Tuition Benefits**

See separate Administrative Policy.

#### **M. Retirement Plans**

Dominican offers eligible employees the opportunity of tax-sheltered contributions for retirement benefits through a 403(b) plan. Employees should refer to the Summary Plan Description for further information, or contact the Human Resources Office.

## **VIII. LEAVES OF ABSENCE**

### **A. Family, Medical, and Pregnancy Disability Leaves**

Dominican provides several types of leaves of absence to meet the individual needs of employees and their families, and as required by various state and federal laws. Eligibility, benefits, length of leave, and job protection vary, depending on the reason for leave and the length of time the employee has worked for Dominican.

One type of leave is available under the Family and Medical Leave Act ("FMLA") and California's equivalent statute, the California Family Rights Act ("CFRA"). A "FMLA Eligible" employee, as defined in this policy, means



disability leave is available for the actual period of disability as certified by the employee's health care provider, up to a maximum of four (4) months per pregnancy. If the employee is FMLA-eligible, pregnancy disability leave will be counted against the employee's 12- week entitlement to family care or medical leave, above. Pregnancy Disability Leave will not count against leave entitlement under CFRA.

Pregnancy disability leave may be taken intermittently or on a reduced work schedule, depending on the nature of the employee's pregnancy disability and the recommendation of her health care provider.

In addition, an employee affected by pregnancy or a related medical condition is eligible for reasonable accommodation, including transfer to an available position or duties that are less strenuous or hazardous. The employee must provide Dominican with a certification from her health care provider stating the nature of the accommodation

Employees who are absent from work for duty in the uniformed services will be granted an unpaid military leave and reinstatement rights in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and state law. Dominican will continue to pay the employer portion of the group health benefits during leaves of up to 30 calendar days, and thereafter the employee may continue health coverage

## E. Leave for Serious Crimes

### 1. Leave and Reasonable Accommodation for Victims of Domestic Violence, Sexual Assault and Stalking

Employees who are victims of domestic violence, sexual assault, or stalking are eligible for unpaid leave for these purposes: attending court hearings, seeking medical, legal, or psychological assistance, or for otherwise protecting their own or their child's health, safety, or welfare. Accruals for this

child care provider or school emergency.

The employee must give Dominican reasonable written notice prior to taking the time off. Employees taking time off for the foregoing purposes must use any accrued vacation time, and after exhaustion of vacation, time off will be unpaid. The employee must also provide written documentation from the child's school or licensed childcare provider to substantiate the employee's participation in child-related activities covered by this policy.

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- x Vacation must be used during medical, military caregiver, military exigency and family care leave.
- x However, use of vacation and/or sick leave is optional, not required, during periods the employee is receiving any kind of income replacement benefits, such as workers' compensation, state disability, or paid family leave benefits, and use of vacation is optional at any time during a pregnancy disability leave.

Using paid leave will not extend the maximum amount of leave available. When paid leave is exhausted, the remaining leave is unpaid. Time off benefits will continue to accrue only during the portion of leave during which an employee is receiving pay. Employees do not accrue time off when on unpaid leave.

Dominican maintains and continues to pay the employer portion of group health insurance coverage during following approved leaves:

- x For up to four months of pregnancy disability leave;
- x For up to a combined total of 12 weeks of family care and medical leave (FMLA eligible employees only); and
- x For up to 26 weeks of military caregiver leave (FMLA eligible employees only).

For the above-approved leaves, the employee will continue to pay the employee's portion of applicable group insurance premiums. For all leaves not meeting the above three criteria, the employee will be responsible for the cost of both the employer and employee portions of insurance premiums. The employee must pay costs in full during the period of leave if the employee wishes such benefits to continue. Employees who have exhausted or are ineligible for these benefit entitlements may continue coverage at their own expense under COBRA, which includes the employer's cost and an administrative fee. An employee who fails to return from leave may have to repay insurance premiums paid by Dominican during the leave.

### 3. Returning to Work

All employees returning from medical or pregnancy disability leave must provide medical certification of their fitness to return to work.



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this commitment, we established a strict policy that prohibits any employee from engaging in behavior that is violent, threatening, or intimidating while on duty or working on Dominican-related business. This policy applies to all employees. Dominican will not tolerate those who make threats, engage in threatening behavior, or commit acts of violence against others. In addition, Dominican is committed to preventing violent or threatening behavior on its premises by non-employees/vendors, such as visitors, guests, students, or family members.

This policy prohibits not only physically violent behavior, but also behavior that is threatening, harassing, or intimidating. Prohibited behavior includes, but is not limited to:

- x Possession of firearms, explosives, weapons such as knives, or any other hazardous or dangerous devices on Dominican property or at any Dominican function, whether on or off premises. Additionally, use of any item as a weapon is prohibited.
- x Disorderly conduct on Dominican's property, including fighting, inciting/provoking another to fight, battery, attempted bodily injury, or physical abuse.
- x Using abusive or threatening language, coercing, menacing, or otherwise harassing behavior.
- x Actual or threatened physical violence.

All employees are responsible for being aware of and reporting potentially violent behavior, including any incident involving threats or acts of violence. Reports should be made immediately to the employee's supervisor or to any manager, and the Human Resources Office. The matter will be investigated and any appropriate corrective action taken. Violations of this policy will lead to disciplinary action, up to and including immediate dismissal.

To assist Dominican in its efforts to maintain a violence-free workplace, employees are strongly encouraged to notify the Human Resources Office about any restraining order in effect or any potentially violent situation outside of work that could result in violence in the workplace. Employees who become aware of any other workplace security hazards or who have suggestions for increasing security in the workplace should also speak with the Human Resources Office.

Employees making reports as encouraged by this policy will not be retaliated against, and Dominican will not tolerate any such retaliation.

### **C. Confidentiality and Proprietary Information**

All employees, including student employees, have a continuing responsibility to protect Dominican's confidential and proprietary information, during and after their employment with Dominican. Such confidential information includes, for example, information about new initiatives or research, business and marketing plans, financial data, or any other proprietary information acquired through employment with Dominican. This information is critical to our business and should be kept strictly confidential. It is not to be discussed outside Dominican, except as necessary in the normal course of business, and cannot be used except for the benefit of Dominican.

As a condition of employment, employees are required to acknowledge this obligation by signing a Confidentiality Agreement.

Dominican University of California supports the protection of individual privacy and is committed to ensuring the confidentiality of personally identified information provided by its students, faculty, and staff. All





First and foremost, be thoughtful and exercise good judgment in how you present yourself online. If you identify yourself as a Dominican employee or your affiliation with Dominican is well known, what you say will affect Dominican, our employees and students. If you choose to identify yourself as a Dominican employee in social media, you are expected also to make clear that the views you express do not necessarily reflect the views of Dominican, by posting a disclaimer in a prominent place (e.g., "The views expressed are mine alone and do not necessarily reflect the views of my employer.")

Do not let your social networking harm Dominican or yourself, whether you're navigating those networks on the job or off. If the content of your message would not be acceptable for face-to-face conversation, it is not acceptable for a social networking site. There's no such thing as a "private" social media site. Search engines can turn up posts and pictures years after

Because Dominican's first priority is the safety of its employees as well as others, employees may not use a cell phone or other device in a manner that impairs the operation of a vehicle while driving on

If Dominican has a reasonable suspicion that an employee has violated this policy, it will conduct an investigation, which may include an unannounced search of Dominican premises or property and/or the employee's personal property. Dominican may also order any employee reasonably suspected of having used or being under the influence of alcohol or drugs while on duty to take a test for the presence of drugs or alcohol. An independent laboratory at Dominican's expense will conduct such a test. Any employee asked to undergo a test will be suspended from work until further notice.

Failure to abide by this policy or refusal to consent to testing when requested will result in suspension without pay.

- x Violation of Dominican policy;
- x Unsatisfactory job performance;
- x Poor attitude (for example, rudeness or lack of cooperation);
- x Abusive language, physically aggressive or violent behavior, threats of or actual harm to any employee or any member of the campus community or toward any visitor/guest;
- x Failure to provide a physician's certificate when requested to do so;
- x Insubordination including but not limited to failure or refusal to obey the orders or instructions of a supervisor or member of management;
- x Dishonesty or deceit with work-related impact;
- x Intentional filing of fraudulent worker's compensation claim or false complaint; Falsification of employment records, entries in time-keeping system, employment information, or other University records;
- x Abuse of paid time off;
- x Violation of any safety, health, or security policies, rules, or procedures of the University;
- x Possession of firearms or any other dangerous weapons