

## **Addendum to Mount Madonna Institute Faculty and Staff Handbooks**

### **MOUNT MADONNA INSTITUTE**

#### **AMENDED PERSONNEL POLICIES**

**Effective October 1, 2020,**

**\*Updated or Added July 30, 2021**

#### **WELCOME TO OUR INSTITUTE**

Mount Madonna Institute (“MMI” hereafter) is an accredited educational institution, and a leader in the fields of Ayurveda, Yoga and Community Studies. We owe our success to the commitment of our faculty and staff. We seek to hire and retain the finest representatives of our fields and to provide a work environment which ensures each employee can reach his or her full potential. We appreciate your willingness to join MMI. All of MMI’s employees are employed at will, which means MMI or an employee may terminate the employment relationship at any time with or without cause.

This addendum to MMI’s Handbooks summarizes some of our Institute’s employment policies and practices and provides an overview of the benefits to which you are entitled as an employee. Our employment policies and possible benefits are also described in our Handbooks, which are reviewed and modified as the need arises. If the provisions of this Addendum vary from the terms of the Faculty and/or Employee Handbooks, this Addendum shall prevail unless the Handbooks are revised subsequent to this Addendum to include the information contained in this Addendum, and in that case the Handbooks will prevail.

#### **\*At Will Statement**

Employment at Mount Madonna Institute (MMI) comes under the California state law referring to “at will employment.” This law states that the employee works “at the will” of the employer. This means that there is no guarantee that the employment is permanent. In other words, the law says that the employer does not have to show “good cause” to terminate employment; employment may be ended even if the employee has not had any misconduct. The needs of Mount Madonna Center determine who our employees are now and in the future may cause the elimination of a position or the termination of someone’s employment. Nothing in this handbook shall limit the right to terminate “At Will” employment.

**Full-time employment** for non-exempt employee is 40 hours per week.

**Part-time Employment** is defined as a non-exempt employee working less than 40 hours per week, but for purposes of the benefits listed below (except illness/sick leave), a part time employee must work 20 hours to qualify for such benefits.

## **1. TIME SHEETS and PAYCHECKS**

MMI's work week begins Monday at 12:01 am and ends on Sunday night at 12:00 midnight.

### **Exempt Employees:**

Exempt full-time employees are not required to complete an MMI Timesheet.

Employees in this category must also earn a monthly salary equivalent to no less than two (2) times the state minimum wage for full-time employment (40 hours per week, annually).

Exempt employees are generally full-time and not entitled to receive overtime in they work in excess of 8 hours in a day or more than 40 hours in a week. Under California law fall into one of three categories: Managerial (supervises 2 or more employees), Administrative or Professional. If you have any doubt as to whether you fall into any of these categories, please contact your immediate supervisor.

Exempt employee's paycheck will be for the amount of salary or wages due for work performed during the same time period, less payroll deductions and paid in the same manner as non-exempt employees.

Deductions will be made from exempt employee's paycheck for federal and state withholding and employment taxes that must be paid by an employee but collected by an employer. Any garnishments or any other deductions required by law will also be deducted from the paycheck, and deductions may be made for contributions you have requested to retirement and other employee benefit plans potentially maintained by MMI.

Deductions will be described and the amount of each indicated on a statement accompanying your paycheck. Employee should review the statement carefully and contact MMI's accounting staff promptly for any questions about the nature or amount of any deduction.

### **Hourly Wage Employees:**

The workweek for payroll purposes runs from Monday to Sunday of each week, and each hourly wage employee will be paid every two weeks on the Friday following the second week. Time sheets must be delivered to supervisor on the Monday following the bi-weekly period. The check will be for the amount of salary or wages due for work performed during the prior two weeks, less payroll deductions.

Deductions will be made from your paycheck for federal and state withholding and employment taxes that must be paid by an employee but collected by an employer. Any garnishments or any other deductions required by law will also be deducted from your paycheck, and deductions will be made for contributions you have requested to retirement and other employee benefit plans maintained by MMI.

Deductions will be described and the amount of each indicated on a statement accompanying your paycheck. You should review the statement carefully and contact MMI's accounting staff promptly if you have questions about the nature or amount of any deduction.

## **Meal and Rest Breaks**

Meal and rest breaks do not apply to exempt employees.

Non-exempt employees are required to take an unpaid and duty-free 30-minute unpaid, uninterrupted, duty-free meal break prior to the end of the fifth hour of work, if employee works more than 5 hours in a workday. If an employee works less than 5 hours in a workday, he or she is not entitled to a meal break. An employee working between 5 and 6 hours in a workday may waive the unpaid and duty-free meal break at his or her sole option. Non-exempt employees are also required to take 10-minute uninterrupted, paid, duty-free rest breaks for every 4 hours the employee works (or major fraction thereof).

**MMI reserves the right to amend, modify, alter, or terminate any of its employee benefit plans. MMI may exercise this right at any time in its sole discretion.**

## **2. HEALTH INSURANCE**

At this time, MMI does not provide any health insurance plans or reimbursement for health care expenses at this time.

## **3. TIME OFF**

### **a. Holidays**

All regular full-time employees are entitled to the following holidays listed below:

- New Year's Day
- Memorial Day
- Fourth of July
- Labor Day
- Thanksgiving Day
- Christmas Day

Full time employees eligible for holidays will be paid for the hours regularly scheduled to work on the holiday. An employee who is on layoff, disability leave, family and medical leave, or any other leave on the date of the holiday occur is not entitled to holiday pay.

### **b. \*Vacations**

Regular full-time employees who have been continuously employed by MMI for at least ninety (90) days are eligible for a paid vacation, the length of which depends on the length of the employee's employment on the anniversary date of his or her hire as follows:

<b>Length of Employment</b>	<b>Vacation</b>
3 Months to the end of Four years	80 hours (2 weeks)
Five years to the end of Nine years	120 hours (3 weeks)
Ten years plus	160 hours (4 weeks)

Regular part-time employees employed for at least ninety (90) days who work between a minimum of twenty (20) hours and forty (40) hours in a workweek are eligible for paid vacation based on the percentage of hours they work. For example, if an employee works 20 hours per week, that employee would be eligible for 50% of the paid vacation of regular full-time employees, or 40 hours per year, during the first five years. If an employee works 30 hours per week, that employee would be entitled to 75% of the paid vacation of regular full-time employees or 60 hours per year, during the first five years.

You must schedule your vacation with the approval of your supervisor to ensure adequate coverage for the work to be done. However, employee vacation scheduling preferences will be honored to the extent possible. In order to avoid staffing problems, MMI may, at its sole discretion, require employees to take vacations in increments of one full week.

Employees eligible for vacation will be paid the compensation they would otherwise receive for regularly scheduled work during the vacation. Vacation pay of full-time employees will be based on the salary they are receiving at the start of their vacation. Part-time employees will be paid based on the base rate of pay in effect at the time the vacation is taken. Vacation pay will be paid to employees in the next regularly scheduled paycheck.

If a holiday occurs during an employee's vacation, it will not be considered part of the vacation, and the employee will be entitled to any pay to which he or she would otherwise receive for the holiday.

Employees are not permitted to accrue more than 160 hours (4 weeks) of vacation time, calculated at the employee's % of time. If the accrued vacation reaches the maximum allowable hours based on % time and years of employment, vacation accrual will temporarily stop. When vacation is taken, and the total accrual falls below the maximum, accrual will begin again.

MMI encourages staff to utilize vacation benefits allowed, and in that spirit has established policies that encourage taking vacation.

Employees on staff as of October 1, 2020 will be given credit for time worked back to the date they became employees for the purpose of calculating their length of employment.

If employment is terminated, accrued unused vacation leave that has been earned through the last day of active employment will be paid at the employee's base rate of pay at termination. In the event of the employee's death, earned, unused vacation time will be paid to the employee's estate or designated beneficiary.

The employee must schedule vacations with the approval of his/her supervisor. Employee vacation scheduling preferences will be honored to the extent possible without impacting MMI's services.

## **c. Illness/Sick Leave**

### **Purpose/Objective**

MMI provides paid sick leave to employees who have worked 30 or more days in California within a year of their employment with MMI or at the time this policy becomes effective.

### **Eligibility**

All employees who have worked 30 or more days in California within a year of their employment with the company or at the time this policy becomes effective.

### **Procedures**

Eligible employees will accrue one hour of sick time for every 30 hours worked up to a maximum accrual of 24 hours or three days, whichever is greater, per calendar year. Upon successfully completing 90 days of employment, eligible employees may begin to use paid sick time under this policy in increments of two hours, up to a maximum of 24 hours, or three days, whichever is greater, per calendar year.

Accrued, unused time under this policy will carry over each year up to a maximum accrual of 48 hours or six days, whichever is greater.

Leave under this policy may be used in connection with the diagnosis, care or treatment of an existing health condition for, or the preventive care of, an employee or an employee's immediate family member. "Family member" for purposes of this policy includes spouses, registered domestic partners, children (regardless of age), parents (including stepparents and parents-in-law), grandparents and siblings. Leave under this policy may also be used for employees who are the victims of domestic violence, sexual assault or stalking.

MMI requires employees to use paid sick leave under this policy in minimum increments of two hours.

Employees requesting time off under this policy should provide as much advanced notice to the employee's supervisor as practicable, and employees who take more than three days of leave will be required to provide appropriate documentation to the employee's supervisor in support of the leave taken.

Unused time under this policy is not paid out at the time of separation from employment. However, employees who are re-employed with the company within a year of separation will have their accrued unused bank of time off under this policy made available to them.

Leave under this policy may run concurrently with leave taken under other applicable policies as well as under local, state or federal law, including leave taken pursuant to the California Family Rights Act (CFRA) or the Family and Medical Leave Act (FMLA).

For more information regarding leave under this policy, contact MMI Accounting Office.

#### **d. Bereavement Leave**

For all employees, MMI provides up to five (5) consecutive days of unpaid bereavement leave after a death of an immediate family member of an employee. The leave may begin with the date of death and must end on the day following the funeral or similar service or celebration. Immediate family includes current spouse/partner, parent, stepparent, parent-in-law, stepparent-in-law, grandparent, child, stepchild, grandchild, sibling, and stepsibling. An employee may be required to submit proof of the death and the date of the funeral, service, or celebration.

If a death in the family occurs, employee must notify his/her supervisor of the anticipated length of absence.

#### **e. Jury Duty**

For all employees, MMI provides unpaid leave for jury duty. If the employee is required to be available for jury duty on a given day, but not required to be in court, she or he must report to work. Employee should notify his/her supervisor promptly if called for jury service.

#### **f. Family and Medical Leave of Absence Policy**

An employee who has worked for MMI for at least twelve (12) months and at least one-thousand two-hundred fifty (1,250) hours during the prior twelve (12) months may take up to twelve (12) weeks of unpaid leave under MMI's Family and Medical Leave of Absence Policy.

FMLA leave is available for the following reasons:

- Birth and/or care of a child of the employee
- Placement of a child into the employee's family by adoption or by a foster care arrangement
- Care of the employee's spouse, child, or parent who has a serious health condition
- Inability of the employee to perform the functions of the employee's position due to a serious health condition

The amount of FMLA leave available to an employee is based on a period of twelve (12) consecutive months ending on the day the leave commences. An employee is limited to twelve (12) weeks of leave during any such period.

MMI abides by all California Family and Medical Leave laws. See [www.edd.ca.gov](http://www.edd.ca.gov)

### **g. Personal Leave**

A regular full-time employee may apply to his/her supervisor for unpaid personal leave if they need time off to attend to personal situations not covered by MMI's other time-off policies. The application must be in writing, and the leave may not exceed fourteen (14) consecutive days. Requested personal leave and any requested extensions may be granted or refused by MMI in its sole discretion, and MMI may impose such restrictions or terms as it sees fit. Employees granted a personal leave are eligible to return to their jobs with MMI at the end of the leave if it does not exceed fourteen (14) consecutive days. Employee on personal leave who is away from work for fourteen (14) consecutive days or less continue to accrue credit for vacation during their absence.

### **h. \*Voting Time Off)**

All employees will have unpaid time off in order to be able to vote in person should they choose to vote in elections in person. Employees should let their supervisor know in advance of the time they expect to go vote and note the time away on their time card.

### **i. \*Pregnancy Leave**

Any staff who is disabled because of pregnancy, childbirth, or a related medical condition is entitled to an unpaid pregnancy disability leave for up to four months.

Notice and Certification Requirements: Requests for pregnancy disability leave must be submitted in writing and must be approved by the employee's supervisor and HRD before the leave begins. The request must be supported by a written certification from the attending physician stating that the employee is disabled from working by pregnancy, childbirth, or a related medical condition. The certification must state the expected duration of the disability and the expected date of return to work.

All leaves must be confirmed in writing, have an agreed-upon specific date of return, and be submitted to the supervisor and HRD prior to being taken. Requests for an extension of leave must be submitted in writing to HRD prior to the agreed date of return and must be supported by a written certification of the attending physician that the employee continues to be disabled by pregnancy, childbirth, or a related medical condition. The maximum pregnancy disability leave is four months.

Pregnancy disability leaves are without pay. However, the employee may first use accrued sick leave and vacation days. If the employee is insured by MMI and commits to returning to work after the leaves are completed, the Institute will continue to pay their insurance. If the employee elects to not return to work, the employee may apply for COBRA and will pay the cost of the insurance during their pregnancy leave.

## **j. \*Lactation Accommodation**

As California law requires, we provide accommodations for all employees who request a need for breastfeeding or lactating accommodations while at work. We recognize that breastfeeding has many benefits for mothers and newborns, and want to support our employees and their family.

This policy applies to all lactating mothers in our workplace regardless of rank, status, or position. The staff member needs to write to their supervisor or Human Resources prior to the time of breastfeeding or expressing milk, so that we have adequate time to ensure a suitable, private space.

New mothers can pump/express milk or breastfeed their babies in the workplace. They can take reasonable breaks whenever there is need. A general provision for these breaks is 15 minutes. But, employees are allowed to take as much additional time as they need.

For this purpose, once an employee notifies us of need, we will work with the employee to ensure a planned space for a lactation room. This room will be:

- Separate from bathrooms and meeting rooms
- Shielded from view by the public and coworkers
- Able to lock from the inside
- Equipped with a comfortable chair, electric plugs, and table
- Nearby, the employee will have access to a sink that is cleaned and sanitized regularly, and a refrigerator for storage

In general, we will be ready to work with the employee to make them comfortable to either breastfeed or express milk as needed at work.

General rules and procedures:

- Employees can use this policy's provisions for one year after their child's birth.
- Breastfeeding employees should not be disturbed with work issues when using the lactation room.
- Employees should inform their supervisors when they want to use the lactation room to avoid confusion.
- Supervisors aren't allowed to prohibit employees to use break time for breastfeeding and pumping/expressing milk. Doing so could result in disciplinary action.
- Employees should not take break time when it's not needed or be consistently late to return. We will compensate workers for up to two lactation breaks in a six hour period. If more time is needed, the employee should discuss their needs with their supervisor and that may be an unpaid break time.

- Supervisors are obliged to communicate this policy to employees.
- All employees should support new mothers. We will not tolerate comments, disturbance, or victimization of our employees.
- If breastfeeding at work, the baby should be brought to the mother at work. As babies are a distraction in office spaces and not allowed in spaces like the kitchen, they will need a caregiver while the employee is working.
- Once a room is designated, the employee should notify the supervisor of the times they expect to use the room, so that others can also use the space if needed.
- Employees who have complaints about the process, the room, or their coworkers' behavior should communicate with Human Resources. All legitimate complaints will be investigated and resolved.

#### **4. OVERTIME**

MMI's business operations may sometimes require employees to work overtime. Non-exempt employees will receive pay at the rate of 1½ times their regular rate for all hours worked in excess of forty (40) hours in any workweek or 8 hours in any day, excluding required rest and meal breaks, unless otherwise required by law. For hours worked in excess of 12 in a given day, they are entitled to 2 times their regular rate. Work on the seventh consecutive day is paid at 1 ½ times the regular rate for the first 8 hours and 2 times the regular rate for hours worked in excess of 8 in that day. All overtime must be approved in advance in writing by the supervisor.

#### **5. PERFORMANCE REVIEWS**

An employee will be evaluated by a supervisor at least once a year. The evaluation will include a formal review of job performance in the previous year. In addition, goals and criteria will be established for the year ahead. Salary adjustments may be made if work responsibilities warrant it. Salary increases however, are not automatically granted at any performance review.

#### **6. PERSONNEL RECORDS**

Each employee is responsible for insuring that MMI's records relating to the employee are current. If there is a change in address, telephone number, marital status, emergency contact, or number and names of dependents, such changes must be communicated to MMI in a written form prescribed by MMI.

Employees are also responsible for keeping their tax information current. Employee is responsible for the accuracy of the Form W-4 on file with MMI and must complete a new form if the information changes.

All personnel records maintained by MMI are its property. Employees may review their personnel files under the supervision of a company representative. No material may be removed from the file or duplicated by an employee.

Personnel material is shared within MMI only on a need-to-know basis. MMI provides employee information to outside agencies only with the written consent of the employee or as required by law. MMI does not provide letters of recommendation but does confirm dates of employment.

## **7. CONFIDENTIALITY**

An employee may learn confidential business information in the course of his/her employment by MMI. Confidential business information may only be shared with other employees on a need-to-know basis. Such information may not be shared with persons who are not employees of MMI.

## **8. INSPECTION**

Under circumstances of probable cause, MMI reserves the right to search any person who comes onto its business premises or who performs services for MMI in another location. This search may include vehicles, equipment, desks, cabinets, lunch and equipment boxes or bags, clothing, and personal items. MMI may also search buildings, rooms, facilities, offices, storage areas, and parking lots. Any items which you do not want to have inspected should not be brought to work.

## **9. ATTENDANCE**

An employee is expected to work regularly and on time. In the case of lateness or absence, employee must contact his/her supervisor immediately. If employee has to leave early, he/she must obtain the approval of a supervisor. Employee's supervisor may require employee to make up any lost work time.

## **10. COMPUTER AND COMMUNICATIONS SYSTEMS**

MMI's computer and communications systems are for business use only and the employee is prohibited from using them for personal purposes during work hours. Computer and communications systems include computers, networks, computer components, software, e-mail, online services, copiers, fax machines, telephones, voice mail, and messenger services. Prohibited conduct includes accessing the Internet for personal purposes and sending or receiving personal email.

MMI recognizes that there may be times when it is necessary for an employee to make or receive personal telephone calls at work. However, the employee should seek to limit these situations, and excessive use is subject to disciplinary action. An employee is prohibited from making personal long-distance telephone calls on the MMI network.

The use of MMI's computer and communications systems is not private or confidential. To the extent permitted by law, MMI reserves the right to review, audit, intercept, access, and search these systems at any time; to monitor data and messages within them for any reason; and to disclose selected contents without notice or other restrictions. Messages sent through these systems remain the property of MMI.

Any message or communication sent to another employee or nonemployee for business purposes is subject to MMI's policies relating to harassment, discrimination, and solicitation. Computers and e-mail systems may not be used in ways that are disruptive, offensive to others, harmful to morale, or otherwise improper.

For example, the display, transmission, or retention of sexually explicit images, messages, and cartoons is prohibited. Other such misuse includes ethnic slurs, racial comments, off-color jokes, or anything that may be construed as showing disrespect for others. E-mail may not be used to solicit others for commercial ventures, religious or political causes, outside organizations, or other non-business matters.

MMI owns and licenses the right to use computer software of various types. Unless authorized by the software developer, MMI may not have the right to reproduce such software or use it on more than a specified number of computers. So, employees must review MMI's software licenses before transferring software between MMI computers. Similarly, MMI's computer and communications systems may not be used to receive or reproduce copyrighted materials, trade secrets, proprietary information, or similar materials from outside MMI without prior authorization from the owner.

## **11. EQUAL EMPLOYMENT OPPORTUNITY**

It is MMI's policy to select, place, train, and promote the best qualified individuals based upon relevant factors such as work quality, attitude and experience. This provides equal employment opportunity for all our employees in compliance with applicable local, state, and federal laws and without regard to non-work related factors such as race, color, religion/creed, sex, national origin, age, disability, citizenship, marital status, or sexual orientation. This policy applies to all MMI activities, including, but not limited to, recruiting, hiring, training, transfers, promotions, and benefits. See MMI's Equal Opportunity Statement in the Handbook.

## **12. HARASSMENT**

### **a. Policy**

MMI seeks to ensure a workplace free from tensions involving matters which do not relate to MMI's business. The tensions created by non-work-related conduct, including ethnic, racial, sexual, or religious remarks; animosity; unwelcome sexual advances or requests for sexual favors; or other such conduct do not belong in our workplace. The employee is prohibited from harassing other employees or applicants for employment. Harassment includes verbal and written harassment, including through email communication (epithets, derogatory statements, and slurs); physical harassment (assault and physical interference with normal work or associated activities) or threat thereof; visual harassment (posters, cartoons, and drawings); and innuendo.

Sexual harassment is a violation of state and federal law. It includes unwelcome sexual advances; requests for sexual favors; sexually motivated verbal or physical conduct or physical contact. It also includes visual forms of harassment of a sexual nature when submission to such conduct is either explicitly or implicitly made a term or condition of employment, or is used as the basis for employment decisions or when such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

An employee cannot be forced to submit to harassment as a basis for any employment decision, and MMI will do its best to keep itself free of any conduct which creates an intimidating, hostile, or offensive work environment for employees and all members of the Institution's community.

## **b. Recourse**

If any sort of ethnic, racial, religious, professional or sexual harassment interferes with any employee's work performance or creates an intimidating, hostile, or offensive work environment, employee should contact a supervisor.

If an employee feels uncomfortable bringing the matter to the attention of his/her manager, or the manager is thought to be involved, or employee is dissatisfied with his/her manager's response, employee may contact MMI's Vice Chair, Provost, or CFO. This individual will promptly and thoroughly investigate the matter and report the results of the investigation to the employee. If an employee is dissatisfied with the conclusions reached, employee may request further investigation, and the Executive Committee of the MMI Board of Directors will do so as deemed appropriate, including interviewing and obtaining statements from witnesses.

If MMI determines that harassment has occurred, appropriate relief for the employee who is bringing the complaint and appropriate disciplinary action against the employee doing the harassing, up to and including discharge, will follow. A non-employee who subjects an employee to harassment in the workplace will be informed of MMI's policy and appropriate action will be taken. MMI will in all cases make follow-up inquiries to ensure that the harassment has not resumed.

MMI understands that harassment can be extremely sensitive, so far as possible, all employee complaints and all communications, such as interviews and witness statements, will be kept in strict confidence.

MMI will not tolerate retaliation against any employee who complains of sexual or other harassment or provides information in connection with any such complaint.

## **13. DRUGS AND ALCOHOL**

To ensure a safe, healthy, and productive work environment for all employees and others, to protect company property, and to ensure efficient operations, MMI has a policy of maintaining a workplace free of drugs and alcohol.

Individuals under the influence of drugs and alcohol on the job pose serious safety and health risks not only to themselves, but also to all those around them. Therefore, possessing, using, consuming, purchasing, distributing, manufacturing, dispensing or selling alcohol or controlled substances, or having alcohol or controlled substances in your system without medical authorization during your work hours, on company premises or while on duty will result in disciplinary action, up to and including immediate termination.

In accordance with the Federal Drug Free Workplace Act, the employee must notify MMI of any conviction under a criminal statute prohibiting the use, possession, or distribution of drugs within five days after the conviction if it arises out of conduct that occurred in the workplace.

## **14. SMOKING/VAPING**

To help insure a safe, healthy, and productive work environment for our employees and others, and specifically to protect employees and visitors from the hazards of secondhand smoke, smoking, including vaping, is prohibited in any part of the workplace. This prohibition includes private enclosed offices, conference and meeting rooms, and staff lounges.

## **15. SOLICITATION AND DISTRIBUTION**

Distractions in the workplace result in inefficiency, poor work performance, and unsafe working conditions. Accordingly, during periods of your workday when you are engaged in or required to be performing work duties, you may not engage in solicitation of other employees for any purpose. In addition, you may not solicit any other employee for any purposes during his or her workday when he or she is engaged in or required to be performing work tasks.

Persons not employed by MMI are not permitted to solicit on MMI's premises. The distribution of literature of any kind in work areas is prohibited at all times.

## **16. EMPLOYEE OBLIGATIONS**

Employee is expected to work diligently and effectively and to meet the requirements and standards of his/her position. He/she is also expected to work harmoniously with colleagues, supervisors, and managers. We believe that having all employees participate in our goal of providing a healthy work environment in which each employee can reach his / her full potential is in the best interests of each employee as well as MMI. All employees are, accordingly, expected to respect the dignity of each individual and also the collective.

## **17. DISCIPLINARY ACTION**

Some specific MMI policies for employee conduct have been outlined above. Violation of any of these policies may result in disciplinary action, up to and including dismissal.

This handbook does not represent a listing of all of the personnel policies of MMI but rather provides guidance regarding some of the most significant policies. Conduct that MMI deems harmful to its institutional purposes or its relationship with a particular employee may also be subject to disciplinary action, up to and including discharge. Some examples of such conduct are:

- Failure to follow instructions of, or to perform work requested by, a supervisor or manager
- Insubordination or lack of cooperation
- Failure to cooperate fully in any organizational investigation
- Violating an institutional safety rule or practice or creating or contributing to unhealthful or unsanitary conditions on MMI's premises
- Abusing, wasting, or stealing MMI's property or that of another employee or non-employee located on MMI's premises
- Removing MMI's property or records from its premises without written authorization
- Falsifying MMI reports or records, including employment applications, personnel records, and

timesheets

- Violating the law on MMI's premises
- Fighting or starting a disturbance on MMI's premises or while performing job duties, including assaulting or intimidating another employee or non-employee
- Unauthorized possession of firearms, weapons or dangerous substances while on MMI's premises or performing job duties

## **18. TERM OF EMPLOYMENT**

Unless a person enters into a written agreement signed by the President of MMI stating that she or he is employed by MMI for a specified period of time, employment by MMI is "at-will." Therefore, both MMI and the employee have the right to terminate employment at any time, with or without cause. Nothing in this Handbook, or any oral or written representation by any employee, supervisor, manager, or officer of MMI may be treated as an employment agreement or modify the "at-will" status of employment.

## **19. POLICIES SUBJECT TO CHANGE**

MMI continually reviews its personnel policies and employee benefits and reserves the right, in its sole discretion, to modify, supplement, amend, or delete any of the provisions contained in this Addendum or the Handbooks at any time.

## **20. \*REASONABLE ACCOMMODATIONS POLICY**

MMI is committed to complying with all applicable provisions of the Americans with Disabilities Act. MMI provides employment-related reasonable accommodations to qualified individuals with disabilities within the meaning of the California Fair Employment and Housing Act and the Americans with Disabilities Act. We do not discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of an individual's disability or perceived disability as long as the employee can perform the essential functions of the job. Consistent with the law, the Center will provide reasonable accommodations that are necessary to comply with state and federal disability discrimination laws.

As part of the MMC's commitment to make reasonable accommodations, the Institute wishes to participate in an interactive process with the disabled employee or applicant. They are invited to identify reasonable accommodations that can be made to assist them to perform the essential functions of the position they seek or occupy. They should request a meeting with the Human Resource representative to discuss these accommodations as soon as possible. By working together, we hope to implement reasonable accommodations that are appropriate and consistent with our legal obligations.

### Request for Accommodation

An employee who desires a reasonable accommodation in order to perform essential job functions should make such a request in writing to [tiffany@mountmadonna.org](mailto:tiffany@mountmadonna.org). The request must identify:

- job-related functions at issue
- desired accommodations

### Reasonable Documentation of Disability

Following receipt of the request, MMI may require additional information, such as reasonable documentation of the existence of a disability.

### Fitness for Duty Examination

MMI may require an employee to undergo a fitness for duty examination at MMI's expense to determine whether the employee can perform the essential functions of the job with or without reasonable accommodation. MMI may also require that a qualified physician conduct the examination.

### Interactive Process Discussion

After receipt of reasonable documentation of disability and/or a fitness for duty report, MMI will arrange for a discussion in person or via phone or computer with the employee. The purpose of the discussion is to work in good faith to fully discuss all feasible potential reasonable accommodations.

### Case-by-Case Determination

MMI determines, in its sole discretion, whether reasonable accommodation(s) can be made and the type of accommodation(s) to provide. The Institute will not provide accommodations(s) that would pose an undue hardship upon finances, or operations or that would endanger the health and safety of the employee or others. MMI will inform the employee of its decision as to reasonable accommodation(s) in writing.

## **21. \*HEALTH PROTOCOLS FOR WORKING (Updated 3.31.21)**

MMI employees should ensure that they are healthy before coming to work. Currently, there is a COVID-19 training and health protocols that all employees must follow including: mandatory mask wearing, social distancing, hand washing, and daily completion of a symptom check before reporting to work.

Even when there is not a pandemic, MMC employees should not come to work if they have a fever over 100.4, persistent cough, green mucus, sore throat, vomiting, diarrhea, unknown rash, injury that limits their ability to work, or a general feeling of not being well. If you become ill while working, please notify your supervisor and go home to rest.

**Returning to work:** Staff may return to work when their symptoms have improved, have been fever free for 24 hours without taking fever-reducing drugs, and feel well enough to work.

## **22. \*FAMILY FIRST CORONAVIRUS RESPONSE ACR (FFCRA) (Updated 3.31.21)**

MMI will follow all legal requirements from the Department of Labor regarding the FFCRA.

<https://www.dol.gov/agencies/whd/pandemic/ffcra-employer-paid-leave>

### **23. VOLUNTARY RETIREMENT PROGRAM**

Mount Madonna Institute (MMI) offers a voluntary 401(k) salary reduction plan for regular full-time and part-time employees who have completed 3 months of employment with MMI. Temporary employees are not eligible to enroll in this plan. Employees can elect to make pre-tax contributions up to annual limits set by the IRS. MMI does not provide matching employer contributions. The plan is administered through Paychex, and contributions are made through automatic payroll deductions. Further details about the plan may be obtained from the Finance Team.

### **24. SIGNED RECEIPT**

All employees are required to return the Signed Receipt below within 7 days, to

MMI, Human Resources; tiffany@mountmadonna.org

445 Summit Road,

Watsonville, CA 9507

### **SIGNATURE RECEIPT REQUIRED**

I acknowledge that I have received a copy of MMI's Addendum to the Faculty and Staff Handbooks describing my benefits as an employee of MMI and my obligations under organizational policies applicable to employees. I have read and understand the policies and am aware of the consequences of a failure to meet my obligations. I understand that the policies are required as a condition of my employment by MMI and that my employment at MMI is "at-will".

**Dated** *[date of execution]* \_\_\_\_\_

**Print** \_\_\_\_\_  
*[Name of employee]*

**Signature** \_\_\_\_\_





