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Thought of the Day:

“Not everybody can be famous but everybody can be great because greatness is to be determined service.”

Author: Martin Luther King Jr.

**REGULAR MEETING OF THE HEAD START
POLICY COUNCIL**

DATE: Tuesday, October 24, 2023

TIME: 9:00 a.m.

LOCATION: SETA Board Room
925 Del Paso Blvd., Suite 100
Sacramento, CA 95815

While the SETA/Head Start Policy Council welcomes and encourages participation in the Council meetings, it would be appreciated if you would limit your comments to three minutes so that everyone may be heard. Matters under jurisdiction of the SETA/Head Start Policy Council and not on the posted agenda or any off-agenda matters may be addressed by the general public following completion of the regular agenda. The SETA/Head Start Policy Council limits testimony on matters not on the agenda to three minutes per person and not more than ten minutes for a particular subject. Meeting facilities are accessible to persons with disabilities. Requests for Assisted Listening Devices or other considerations should be made through the Clerk's office at (916) 263-3753. This document and other Board meeting information may be accessed through the Internet by accessing the SETA home page: www.seta.net.

AGENDA

PAGE NUMBER

- | | | |
|-----|-----------------------------------------------------------------------------------------------------------|------|
| I. | <u>Call to Order/Roll Call/Review of Board Member Attendance</u>
➤ PC Meeting Attendance Update | 1-3 |
| II. | <u>Consent Item</u> | |
| A. | Approval of the Minutes of the September 26, 2023 Regular Meeting | 4-11 |

III.	<u>Action Items:</u>	
A.	<u>TIMED ITEM 9:00 A.M. AND PUBLIC HEARING:</u> Final Reading of Modifications to the Bylaws of the SETA-Operated Head Start/Early Head Start Policy Council (Fienishia Wash)	12-29
B.	<u>TIMED ITEM 9:00 A.M. AND PUBLIC HEARING:</u> Approval of Changes to the SETA Personnel Policies and Procedures Sections 9 and 11.	30-143
C.	<u>TIMED ITEM 9:00 A.M. AND PUBLIC HEARING:</u> Approval of SETA Longevity Compensation Policy	144-146
D.	Approval to Submit a Request to Carry Over Funds from Program Year 2022-2023 to Program Year 2023-2024 for Head Start and Early Head Start/CCP	147-150
E.	Election of Head Start Policy Council Vice-Chair and Parliamentarian for Program Year 2023-2024 (Fienishia Wash)	151-152
IV.	<u>Information Items</u>	
A.	Standing Information Items	153-162
	➤ Fiscal Monthly Report/Corporate Card Monthly Statement of Account: Mr. Victor Han	
	➤ Health Service Advisory Committee (HSAC) Report: Ms. Fienishia Wash	
	➤ Community Resources – Parents/Staff: Ms. Fienishia Wash	
	• Water Festival	
	• Help Me Grow	
B.	SETA’s Recruitment Update – Sheri Green-Johnson	163
C.	Governing Board Minutes for September 7, 2023	164-171
V.	<u>Committee Reports</u>	172
	➤ Executive Committee Meeting: Ms. Fienishia Wash	
	➤ Budget/Planning Committee Meeting: Ms. Fienishia Wash	
VI.	<u>Other Reports</u>	173-180
A.	Interim Executive Director’s Report – Ms. D’et Saurbourne	
B.	Head Start Deputy Director’s Report – Ms. Karen Griffith	
	✓ Monthly Head Start Report	
C.	Chair’s Report	
	✓ PC Recruitment	
D.	Head Start Managers’ Reports	
	✓ <u>Lisa Carr</u> - Family Engagement, Home Base, and ERSEA Services	

- ✓ Megan Lamb – School Readiness, Special Education, and Mental Health Services
- ✓ Gricelda Ocegueda – Health, Oral Health, Nutrition, Food Services, Quality Assurance and On-going Monitoring
- ✓ Betsy Uda – Safe Environments, Facilities, and Licensing.

E. Open Discussion and Comments

F. Public Participation

VII. Adjournment

DISTRIBUTION DATE: Tuesday, October 17, 2023

Head Start Policy Council meeting hosted by:
Ms. Fienishia Wash (Chair), Mr. Royal Jones (Secretary),
and Ms. Jessica Mitchell (Treasurer)

ITEM I - CALL TO ORDER/ROLL CALL

A member of the Policy Council will call the roll for the following members:

- _____ Donna Bonner, Foster Parent Representative/Community Representative
- _____ Royal Jones, Sacramento City Unified School District
- _____ Stephen Key, Past Parent/Community Representative
- _____ Jessica Mitchell, Elk Grove Unified School District
- _____ Rosemary Schapira, Community Agency Representative
- _____ Fienishia Wash, Chair, Grandparent Representative/
Community Representative

Members to be Seated:

Seats Vacant:

- _____ Vacant, San Juan Unified School District
- _____ Vacant (Pecot), San Juan Unified School District
- _____ Vacant (Long), San Juan Unified School District
- _____ Vacant, Sacramento City Unified School District
- _____ Vacant, Sacramento City Unified School District
- _____ Vacant, Twin Rivers Unified School District
- _____ Vacant (Shead), Twin Rivers Unified School District
- _____ Vacant (Land), WCIC/Playmate Child Development Center
- _____ Vacant, WCIC/Playmate Child Development Center
- _____ Vacant (Wash) Home Base Option
- _____ Vacant (Mohammed), Home Base Option
- _____ Vacant (Pierce), SETA-Operated Program
- _____ Vacant (Torres), SETA-Operated Program
- _____ Vacant (Taneja), SETA-Operated Program
- _____ Vacant, (Escalona), SETA-Operated Program
- _____ Vacant (Jetton), Early Head Start/Home Base (SOP)
- _____ Vacant (Olguin), Early Head Start, Sacramento City Unified School
District
- _____ Vacant (Self), Early Head Start (SETA)
- _____ Vacant, Community Agency Representative
- _____ Vacant (Stone Smith) Community Agency Representative
- _____ Vacant (Wash) Outgoing Chair

**** Please call your alternate, Policy Council Chair (Fienishia Wash: [510] 228-5499), or Head Start staff (Gaylon Ndiaye: [916] 263-5662 or Anzhelika Simonenkova: [916] 263-3753) if you will not be in attendance.**

**POLICY COUNCIL
BOARD MEETING ATTENDANCE
PROGRAM YEAR 2022-2023**

The **2022-2023** Board was seated on
November 22 & December 20, 2022,
January 24 & February 28, 2023

BOARD MEMBER	SITE	11/22	12/20*	1/24	2/28	3/28	4/25	5/23	6/27	7/25	8/22	9/26	10/24	11/21
D. Bonner Seated 11/22	PP-FP	X	X	X	X	X	X	X	X	X	X	X		
Vacant Seated	WCIC													
Vacant Seated	WCIC													
Vacant Seated	SOP													
S. Key Seated 11/22	PP	X	X	X	E/ PCB	X	X	X	X	X	X	E/ PCB		
Vacant Seated	SOP													
R. Jones Seated 2/28	SAC				X	X	X	X	X	X	X	X		
Vacant Seated	SJ/EHS													
J. Mitchell Seated 11/22	ELK	X	X	E	X	X	X	E	U	X	X	X		
Vacant Seated	HB													
Vacant Seated	SJ													
R. Schapira Seated 1/24	CAR	E	E	X	X	E	U	X	X	X	X	X		
Vacant Seated	TR													
Vacant Seated	OC													
Vacant Seated	SOP													
F. Wash Seated 11/22	PP-GP	X	X	X	X	X	X	X	X	X	X	X		

GLOSSARY OF ACRONYMS

ACRONYM	REPRESENTATIVE CENTER
CAR	Community Agency Representative
CR	Community Representative
EHS	Early Head Start
ELK	Elk Grove Unified School District
HB	Home based Option
SAC	Sacramento City Unified School District
SJ	San Juan Unified School District
SOP	SETA-Operated Program
TR	Twin Rivers School District
WCIC	Women's Civic Improvement Club/Playmate Child Care Center

X: Present

E: Excused

R: Resigned

U: Unexcused Absence

S/B/S: Should be Seated

H: Holiday

HS: Holding Seat

AP: Alternate Present

E/PCB: Excused, Policy Council Business

E/PCB: Excused, Policy Committee Business

OGC: Outgoing Chair

RS: Reseat

***:** Special Meeting

Current a/o 10/5/2023

ITEM II-A - CONSENT

APPROVAL OF MINUTES OF THE SEPTEMBER 26, 2023
REGULAR POLICY COUNCIL MEETING

BACKGROUND:

Attached for the Policy Council's review are the minutes of the September 26, 2023 regular meeting.

RECOMMENDATION:

That the Policy Council approve the September 26, 2023 minutes.

NOTES:

ACTION: Moved: _____ Second: _____

VOTE: Aye: _____ Nay: _____ Abstentions: _____

REGULAR MEETING OF THE HEAD START POLICY COUNCIL

(Minutes reflect the actual progress of the meeting.)

SETA Board Room
925 Del Paso Blvd.
Sacramento, CA 95815

Tuesday, September 26, 2023
9:00 a.m.

I. Call to Order/Roll Call/Review of Board Member Attendance

Ms. Wash called the meeting to order at 9:05 a.m., read the thought of the day, and called the roll; a quorum was met.

Members Present:

Donna Bonner, Foster Parent/Community Representative
Fienishia Wash, Grandparent/Community Representative
Royal Jones, Sacramento City Unified School District
Rosemary Schapira, Community Agency Representative
Jessica Mitchell, Elk Grove Unified School District

Members Absent:

Stephen Key, Past Parent/Community Representative (*excused/PC business*)

II. Consent Item

A. Approval of the Minutes of the August 22, 2023 Regular Meeting

The minutes were reviewed; no questions or corrections.

Moved/Bonner, second/Mitchell, to approve the August 22, 2023 minutes as distributed.

Roll call vote:

Aye: 4 (Bonner, Mitchell, Schapira, Jones)

Nay: 0

Abstention: 1 (Wash)

Absent: 1 (Key)

III. Action Items

A. Election of Head Start Policy Council Vice Chair and Parliamentarian for Program Year 2023-2024

There were no nominations for Vice Chair or Parliamentarian.

Moved/Mitchell, second/Jones, to table the election of the Policy Council Vice Chair and Parliamentarian for Program Year 2023-2024 to the next meeting.

Roll call vote:

Aye: 4 (Mitchell, Bonner, Jones, Schapira)

Nay: 0

Abstention: 1 (Wash)

Absent: (Key)

B. TIMED ITEM 9:00 A.M. AND PUBLIC HEARING:

First Reading of Modifications to the Bylaws of the SETA-Operated Head Start/Early Head Start Policy Council

Ms. Wash opened the public hearing at 9:14 a.m. She reviewed changes to the Policy Council (PC) Bylaws.

There were no questions from the public.

Moved/Bonner, second/Schapira, to approve the opening of a public hearing, hear any additional testimony, and continue this item to the next PC meeting where the action of the PC will be to close the public hearing and approve the amendments to the PC Bylaws.

Roll call vote:

Aye: 4 (Mitchell, Bonner, Jones, Schapira)

Nay: 0

Abstention: 1 (Wash)

Absent: (Key)

C. Approval of Out of State Travel to Attend the 2023 Region 9 Head Start Association Family Engagement and Cultural Effectiveness Conference

Ms. Griffith shared that SETA recently applied to be part of a year-long Community of Practice (CoP) focusing on Supporting School Readiness and Success of Young African American Boys. SETA was one of 12 programs selected to participate throughout Region 9 (California, Arizona, Nevada and Hawaii and the Samoan Islands).

The purpose of the CoP is to support programs in implementing a culturally responsive, strength-based program focused on efforts to address the school readiness needs of African American boys and families. Successful implementation of a culturally responsive, strength-based program will require systematic implementation, and ongoing self-evaluation. Training, technical assistance and additional support will be provided to align the model with program policies, practices, and goals. Ms. Griffith advised that this is a year-long commitments.

The kick-off and launch of the CoP will occur at the Region 9 Head Start Association Family Engagement and Cultural Effectiveness Conference. Cynthia Yao, Regional Program Manager for the Office of Head Start has made attendance at this launch a requirement of SETA's participation in the CoP.

In alignment with the CoP guidance, the Children and Family Services (CFS) staff recommends sending three (3) staff (Education/ Family Engagement) and one (1) parent as representatives of SETA's Community of Practice team to the Region 9 Head Start Association Family Engagement and Cultural Effectiveness Conference in Honolulu, Hawaii during the week of October 24-27, 2023.

Mr. Royal Jones, the current parent and the Policy Council member was selected to represent the Agency at the Region 9 Head Start Association Family Engagement and Cultural Effectiveness Conference.

Mr. Jones asked to clarify the consequences of not meeting the requirement of attending the Region 9 Head Start Association Family Engagement and Cultural Effectiveness Conference. Ms. Griffith stated that it would mean that SETA will not be a program selected to continue in this year-long project of CoP.

Ms. Schapira suggested including Mr. Buckhalter, Home Base Early Head Start Coordinator, who presented on this topic during the last PC meeting, in the team being sent to this conference.

Moved/Schapira, second/Jones, to approve out of state travel to the Region 9 Head Start Association Family Engagement and Cultural Effectiveness Conference

Roll call vote:

Aye: 4 (Mitchell, Bonner, Jones, Schapira)

Nay: 0

Abstention: 1 (Wash)

Absent: (Key)

D. Approval to Change Head Start Program Approach for the Program Year 2023-2024

Ms. Griffith reviewed the item. Due to Marshall Elementary's last year licensing violation, class-size waiver was removed for this year. In result the following adjustments are proposed for San Juan Unified School District (SJUSD):

- Four (4) classes at Marshall Elementary will be changed from LDO (HS/CSPP Wrap) with 24 students per class to Duration classes with 20 children each.

- In lieu of this change, four school sites in proximity to Marshall namely Cottage, Encina, Howe and Ralph Richardson that are approved to operate a Duration class in each school site will change to LDO (HS/CSPP Wrap) to accommodate 24 students in each class. The change will support the 16 slots displaced from Marshall Head Start.

Ms. Griffith additionally advised on the following proposed Sacramento City Unified School District (SCUSD):

- In 2023-24, SCUSD is approved to expand its HS/TK/CSPP collaboration model with 48 slots co-mingled with TK and CSPP enrollment slots distributed in 9 school sites with the SCUSD boundaries. Due to a shift in the configuration of the TK collaborative classrooms to TK only and the need to address staff shortages in preschool classrooms, there are reassignments of teachers to preschool classrooms. Hence, SCUSD will no longer operate a HS/TK/CSPP collaboration program option.
- All 48 HS slots that were approved in the HS/TK/CSPP collaboration model are being proposed to operate as two (2) HS/CSPP collaboration classes of 24 students each. The two HS/CSPP collaboration classes will be in C.A. Jones Skills Center, a former Head Start location and John Bidwell Elementary, an existing Head Start location.
- Nicholas Elementary will have a scheduled school renovation that will displace its HS/CSPP Wrap class. The construction is expected to take at least two years. The class at this site will be moved to C.B. Wire Elementary.

There is no net fiscal impact for these proposed changes.

Mr. Jones asked if HS/TK/CSPP collaboration program closure is permanent. Ms. Griffith advised that hopefully SJUSD will bring this model back in the future.

Moved/Bonner, second/Mitchell, to approve Program Approach change for both Sacramento City Unified School District and San Juan Unified School District for Program Year 2023-2024

Roll call vote:

Aye: 3 (Mitchell, Bonner, Schapira)

Nay: 1 (Jones)

Abstention: 1 (Wash)

Absent: 1 (Key)

IV. Information Items

A. Standing Information Items

- Fiscal Monthly Report/Corporate Card Monthly Statement of Account:
Mr. Han reviewed the fiscal report for the first month in the 2023-2024 program year ended on August 31, 2023. Administrative expenditures are at 6.0% county-wide which is below 15% maximum. The American Rescue Plan Act (ARP) and the Corona Virus Response and Relief Supplemental Appropriation Act (CRRSA) funds were reviewed. These funds will expire on March 31, 2024. The SETA Operated Programs Expenditures report was reviewed. Most line items are on pace for the beginning of the new program year. The American Express and CitiBank credit card statements was reviewed, and nothing was out of the ordinary.
- Health Service Advisory Committee (HSAC) Report
Ms. Wash advised that the Committee members are working on planning an in-person Community Health Event on November 14, 2023, at 9:00 a.m.
- Community Resources – Parents/Staff:
Ms. Wash reviewed the community resources provided in the packet.

B. SETA's Recruitment Update

Ms. Sheri Green-Johnson reviewed the recruitment data from August 11, 2023, through September 14, 2023 provided as backup information to the agenda packet.

C. Governing Board Minutes for June 1, July 6, and August 3, 2023: No questions

V. **Committee Reports**

- Executive Committee:
The next meeting will be held in person on October 2, 2023, at 10:00 a.m., at the SETA Administrative building.
- Budget/Planning Committee Meeting:
The next meeting will be held in person on October 10, 2023, at 1:00 p.m., at the SETA Administrative building.
- Social/Hospitality Committee Meeting:
The next meeting date is to be determined. The End-of-the-Year Parent Appreciation brunch event will be held on October 13, 2023, at 9:30 a.m., at the SETA Administrative building.
- Personnel/Bylaws Committee Meeting:
No further meetings have been scheduled at this time.

VI. **Other Reports**

A. Interim Executive Director's:
Ms. Saurbourne introduced herself. She is looking forward to working with members of the Policy Council.

B. Head Start Deputy Director's Report:
Ms. Griffith reminded PC members about the Delegates/Partners Kick-Off on October 18, 2023. She advised that the intent is to work on creating and reinforcing new five-year goals and objectives, community assessment, and gathering information for SETA's next five-year grant.

Ms. Griffith addressed a possible federal shutdown. She has stated that should a federal shutdown occur, SETA will continue with regular operations and should not feel any effects of a short-term shutdown. There may be limited access to the federal office staff, but SETA will continue to provide services to the community and continue to have access to grant funds.

Ms. Griffith additionally advised that the Agency will be closed for business from 12/22/23 through 01/01/24. Based on an agreement and approval reached on Wednesday, September 13, 2023, a Letter of Understanding (LOU) between SETA and AFSCME regarding the 2023 Agency closure was signed. This LOU states that the Agency will provide holiday pay to cover the half-day operations on December 22 and December 29 and time off on December 26, 27, and 28, 2023, for the 2023 Agency closure. SETA employees will not be required to use accrued leave balances to cover time off during the closure.

Ms. Griffith also advised that the program will be looking into further protecting the children in service by speaking to the Sacramento Public Health officials regarding the influx of playground use over the weekends and discovering evidence of illegal drug activities on the premises. Efforts might include having Norcan on site, hiring private security, parent/safety volunteers' involvement, or having protection services patrolling the area.

C. Chair's Report:
Ms. Wash advised that the Parent Leadership Training Institute (PLTI) is now accepting applications for the second cohort (twenty-week program) beginning in January 2024 in English and Spanish. Applications are due on October 23, 2023. She shared her experience and encouraged parents to sign up.

D. Head Start Managers' Reports
✓ Lisa Carr - Family Engagement, Home Base, and ERSEA Services:
Ms. Carr advised that August's enrollment is 84% for Early Head Start and 69% for Head Start across the county. Ms. Carr stated that enrollment efforts continue county-wide. Most under-enrollment is due to capped/closed classes, staffing shortages, and licensing processes.

Ms. Carr additionally advised that families with children in state-funded full-day classes received a Notice of Action stating that the fees were waived until October 2023. SETA was recently notified that fees will start occurring in October 2023.

- ✓ Megan Lamb – School Readiness, Special Education, and Mental Health Services: No report
- ✓ Gricelda Ocegueda – Health, Oral Health, Nutrition, Food Services, Quality Assurance, and On-going Monitoring: No report

E. Open Discussion and Comments: None

F. Public Participation: None

Ms. Schapira announced that North Sacramento Family Resource Center will have their annual Trunk-of-Treat event on the morning of October 28, 2023. She also advised that Sacramento Food Bank partners with various agencies throughout the county that participate in diaper distribution. She encouraged families needing diapers to visit the Sacramento Food Bank website to see the list of participating agencies.

VII. Adjournment: The meeting was adjourned at 9:47 a.m.

ITEM III-A-ACTION

TIMED ITEM 9:00 A.M. AND PUBLIC HEARING:
FINAL READING OF MODIFICATIONS TO THE BYLAWS OF THE SETA-OPERATED
HEAD START/EARLY HEAD START POLICY COUNCIL

BACKGROUND:

The Personnel/Bylaws Committee 2022-2023 met during the program year to review and recommend revisions to the Bylaws of the SETA-Operated Head Start/Early Head Start Policy Council (PC).

Additions are indicated by green *italic type*, deletions are indicated by red ~~striketrough~~.

The Chair opened a public hearing on these modifications at the September 26, 2023 meeting.

RECOMMENDATION:

Hear any additional testimony and take action to close the public hearing and approve the amendments to the PC Bylaws as attached.

NOTES:

ACTION: Moved _____ Seconded _____

VOTE: Aye _____ Nay _____ Abstain _____

BYLAWS OF THE SACRAMENTO COUNTY

HEAD START/EARLY HEAD START POLICY COUNCIL (PC)

Policy Council First Reading: 09/26/2023
Policy Council Final Approval: 10/24/2023
Governing Board Approval:

Table of Contents

	<u>Page Number</u>
Article I: Name	1
Article II: Purpose, Powers, Duties and Functions	
Section 1: Purpose (A-E)	1
Section 2: Powers, Duties and Functions (A-F)	1-3
Article III: Membership	
Section 1: Election/Appointment of Members	3
Section 2: Parent/Community Representatives (A-B)	4
Section 3: Alternates (A-D)	4-5
Section 4: Other Provisions (A-F)	5-6
Section 5: Terms	6
Section 6: Attendance (A-D)	6-7
Section 7: Removal	7
Article IV: Meetings	
Section 1: Meetings (A-D)	7
Section 2: Meeting Notice (A-D)	8
Section 3: Open Meetings	9
Section 4: Mailing Address	9
Section 5: Rules of Procedure	9
Section 6: Nominations/Elections	9
Section 7: Voting	9
Section 8: Meeting Reimbursement (A-C)	9-10
Article V: Officers	
Section 1: Officers	10
Section 2: Election and Term of Office (A-C)	10-11
Section 3: Duties of Officers (A-E)	11
Section 4: Vacancy (A-B)	12
Article VI: Committees	
Section 1: Standing Committees	
➤ Executive Committee	12
➤ Budget/Planning Committee (A-B)	12
➤ Personnel/Bylaws Committee	13
➤ Social/Hospitality/Fundraising Committee	13
➤ Parent Ambassador Committee	13
Section 2: Program Area Committees	13
Section 3: Special Committees	13
Article VII: Required Reports	
Section 1: Required Reports	14
Article VIII: Bylaws Amendment(A-F)	14

**BYLAWS FOR THE SACRAMENTO COUNTY
HEAD START/EARLY HEAD START POLICY COUNCIL (PC)**

ARTICLE I

Name

This Council shall be named the Sacramento County Head Start (HS)/Early Head Start (EHS) Policy Council, hereinafter referred to as the Policy Council (PC). Head Start/Early Head Start hereinafter shall be referred to as HS/EHS.

ARTICLE II

Purpose, Powers, Duties and Functions

Section 1: Purpose

The purpose of the PC shall be to promote the objectives of the HS/EHS Child Development Program of Sacramento County, State of California, as established by the Federal Economic Opportunity Act of 1964, as amended. The purpose of the PC shall include, but not necessarily be limited to:

- A. The encouragement and promotion of parent participation in the process of making policy decisions about the nature and operation of HS/EHS programs in Sacramento County.

45 Code of Federal Regulations (CFR) 1305.2: A HS/EHS parent means a HS/EHS child's mother or father, other family member who is a primary caregiver, foster parent, guardian or the person with whom the child has been placed for purposes of adoption pending final adoption decree. All future reference of parent will be defined as such.
- B. Aiding and assisting local Parent Policy Committees in performing meaningful roles and functions in the operation of local HS/EHS programs.
- C. Initiating suggestions and ideas for HS/EHS program improvement.
- D. Serving as a channel of communication among organizations and agencies by building a partnership, both public and private, with individuals and groups interested in the aims, goals, and objectives of HS/EHS Child Development Programs.
- E. Aiding and assisting both the enrolled child and his or her family in obtaining the full benefits of programs and facilities established to aid and improve educational, economic, and health status, including dental and nutrition, of the low-income population.

Section 2: Powers, Duties and Functions

The PC must perform the following powers, duties and functions directly:

- A. Serve as a link to the Parent Committees, Grantee and Delegate Agency governing bodies, public and private organizations, and the communities they serve.

- B. Assist Parent Committees in communicating with parents enrolled in all program options to ensure that they understand their rights, responsibilities, and opportunities in HS/EHS and to encourage their participation in the program.
- C. Assist Parent Committees in planning, coordinating, and organizing program activities for parents with the assistance of staff, and ensuring that funds set aside from program budgets are used to support parent activities.
- D. Assist in recruiting volunteer services from parents, community residents, and community organizations, and assist in the mobilization of community resources to meet identified needs.
- E. In accordance with Federal regulations, the Head Start Act, Best Practices, and EHS Child Care Partnerships, the PC must work in partnership with key management staff and the governing body to develop, review, and approve or disapprove the following policies and procedures:
 - 1. All funding applications and amendments to funding applications for HS/EHS, including administrative services, prior to the submission of such applications to the Department of Health and Human Services (DHHS).
 - 2. Procedures describing how the governing body and the appropriate policy group will implement shared decision making.
 - 3. Written procedures for program planning.
 - 4. Strategic long-term goals and measurable objectives for program in funding application.
 - 5. The selection of delegate agencies and their service areas.
 - 6. The composition of the PC and the procedures by which policy group members are chosen.
 - 7. Criteria for defining recruitment, selection, and enrollment priorities.
 - 8. Participate in the annual self-assessment of the Grantee's progress by carrying out the programmatic and fiscal intent of its grant application, including planning or other corrective actions that may result from the review of the annual audit and findings from the Federal monitoring review.
 - 9. Implement a program data management system that effectively supports the availability, usability, integrity, and security of data.
 - 10. In accordance with Head Start Act 642 (c) (2) (D) (vi) and Standards 1301.3 (c) (1), the Policy Council shall approve and submit to the governing body decisions about personnel policies and consistent with paragraph (1)(E)(iv)(IX), including standards of conduct for

program staff, contractors, and volunteers and criteria for the employment and dismissal of program staff.

11. Decisions to hire or terminate the HS/EHS Director of the Grantee agency.
 12. Decisions to hire or terminate any person who works primarily for the HS/EHS program of the grantee agency will be in accordance with SETA Personnel Policies and Procedures. For the Grantee Sacramento Employment and Training Agency (SETA)-Operated Program (SOP), the function of screening and interviewing prospective applicants directly related to the SOP may be delegated to the Parent Advisory Committee (PAC) of the Grantee. (The delegation of this authority must be approved by the PC on an annual basis.)
 13. PC reimbursement for reasonable expenses incurred by members. Members shall not receive compensation for serving on the PC or for providing services to the HS/EHS Agency.
 14. Grantee policies that define the roles and responsibilities of the governing body members and informs them of the management procedures and functions necessary to implement a high-quality program.
 15. Internal dispute resolution. PC must establish written procedures for resolving internal disputes, including impasse procedures, between the governing body and the policy group.
 16. Establish and maintain procedures for hearing and working with the grantee agency to resolve community complaints about the program.
- F. Individual members while representing the PC, shall not engage in any activities or assume any such powers, duties, or functions that are contrary to, or inconsistent with the goals and objectives of the HS/EHS Child Development Program, as established by either local, State or Federal laws, regulations or SETA policies.

ARTICLE III Membership.

Section 1: Election/Appointment of Members

As outlined in Article III, Section 2, the PC shall consist of elected voting representatives from each delegate agency Policy Committee, the SETA-operated PAC, Community Representatives (Past Parents, Grandparent, Foster Parent), elected by the PC. Additional Community Representatives shall be elected by the PC. Home Base Option and EHS Representatives shall be elected by delegate agency Policy Committees and SETA-Operated Program parent committees. The Outgoing PC Chair shall have a reserved seat.

The Parent Ambassador Representative shall be elected by the Parent Ambassador Committee.

Section 2: Parent Representatives

- A. The Parent Membership shall consist of:
- Six (6) Representatives elected from the SOP PAC
 - Two (2) Representatives from Sacramento City Unified School District
 - Three (3) Representatives from San Juan Unified School District
 - Two (2) Representatives from Elk Grove Unified School District
 - Two (2) Representatives from Twin Rivers Unified School District
 - Two (2) Representatives from Women’s Civic Improvement Club/Playmate (WCIC)
 - Two (2) Representatives from Home Base Option
 - Two (2) Representatives from EHS - SOP
 - One (1) Representative from EHS - San Juan Unified School District
 - One (1) Representative from EHS – Twin Rivers Unified School District

The above parent representatives must be a parent of a child/children currently enrolled in the HS/EHS Program.

B. Community Representatives

Additional PC members shall include:

- Two (2) Parent Ambassadors shall be elected by the Parent Ambassador Committee. These representatives may or may not be a current parent. There will be two (2) alternate positions.
- One (1) Outgoing PC Chair - may not be held by any other party.
- Two (2) Community Agency Representatives elected by the PC.
- Two (2) Past Parents shall be elected by the current PC if the outgoing PC has been dissolved. The Past Parent elected to the PC may not have a child/children currently enrolled in the HS/EHS program. There will be two (2) Past Parent alternate positions.
- One (1) Grandparent shall be elected by the current PC if the outgoing PC has been dissolved. Representative must be a current or past parent of the SOP or a Delegate Agency. There shall be one (1) Grandparent alternate position.
- One (1) Foster Parent shall be elected by the current PC if the outgoing PC has been dissolved. Representative must be a current or past parent of the SOP or a Delegate Agency. There shall be one (1) Foster Parent alternate position.

Community members desiring to be reappointed must apply for membership on a yearly basis.

Section 3: Alternates

Each representative holding membership on the PC shall additionally be entitled to have one alternate. An alternate shall be elected by the committee/agencies he or she represents.

- A. Alternates may be seated as voting members of the PC only in the absence of the voting representative for whom they serve as alternate.
 - 1. A Representative missing two (2) consecutive regular meetings without an excused absence or missing a total of three (3) meetings (regular/special, excused, or unexcused) will automatically be removed and replaced by the Alternate.
 - 2. The Alternate who attends meetings on behalf of an absent Representative will be recorded as Alternate Present (AP). An Alternate's AP attendance will not count as "present" for the Representative.
 - a. The Alternates' excused absence shall be recorded as Alternate Excused (AE) and Alternate Unexcused recorded as (AU).
 - b. For the policy on Alternate attendance reference Article III: Membership, Section 6: Attendance, A: Absences.
 - c. An Alternate who does not attend a PC meeting shall receive an attendance letter from the Clerk of the Boards.
 - 3. In the event an Alternate does not cast a vote during the program year, Alternate will not have served as a PC member and term is not counted.
- B. Alternates may be seated as voting members upon recognition of their voting status by the PC Chair at any meeting. However, an Alternate may not hold an office.
- C. Alternates are encouraged to attend meetings of the PC on the same regular basis as members. However, the Alternate will not receive a reimbursement if the Representative is present.
- D. Alternates are excluded from attending the following conferences: The National Head Start Association (NHSA) Parent Training Conference, the Region IX Head Start Association Annual Conference/Training, and the California Head Start Association (CHSA).

Section 4: Other Provisions

- A. A majority of the voting membership of the PC shall consist of parents/guardians whose children are currently enrolled in the program.
- B. The PC may establish and select additional voting delegates who shall serve as community representatives of the PC by a two-third (2/3) vote.
- C. Community Agency Representatives wishing to be elected/re-elected must submit an application to the PC. Community Agencies who have not been elected/re-elected may share agency information quarterly.
- D. The seating of representatives shall take place at the annual meeting. These representatives shall then serve as voting members.

- E. No SETA or Delegate Agency HS/EHS staff (or members of their immediate families) shall serve on the PC except parents who occasionally substitute for regular HS or EHS staff. Occasional substitute teaching is defined as once a week and/or not to exceed four (4) consecutive days in a month.
- F. Additional members may be added by a 2/3 vote to ensure all program options are proportionally represented on the PC.

Section 5: Terms

The PC, Policy Committee, and the Parent Advisory Committee must limit the number of one-year terms any individual may serve on either body to a combined total of five (5) program years. During the term of office, voting representatives (or alternates) shall serve as members (or alternates) of the PC until their voluntary termination or until replaced by the committee/agency they represent or until termed out. Representatives must continue to represent center or agency they were chosen from. The term for Community Agency Representative shall be for one (1) program year. A Community Agency Representative may not sit more than five (5) program years.

Section 6: Attendance

- A. **Absences:** Any member or alternate in a voting capacity, missing two (2) consecutive regular meetings without an excused absence or missing a total of three (3) meetings (regular/special, excused or unexcused) will automatically be removed. An excused absence shall include but not be limited to sickness or death in the family.

A member requesting an excused absence must call the alternate, if the alternate is known, and the ~~Social Services/Parent Involvement (SS/PI)~~ **Governance/Parent Engagement** Coordinator, PC Board Chair, or the Clerk of the Boards, prior to the meeting.

- B. **Reinstatement:** The representative agency/group may request that a member who has been removed due to absences be reinstated in the event the Alternate declines. This request must be in writing and submitted to the Chair and ~~(SS/PI)~~ **Governance/Parent Engagement** Coordinator within ten (10) calendar days. It is the final decision of the PC Executive Committee whether any representative shall be reinstated. In the event the representatives' Early Learning Center/Agency is temporarily closed, or representatives' child/children have transitioned out of the program, the PC Executive Committee shall have the sole decision to reinstate.
 - 1. A member who has resigned and held an Executive office and wants to be reinstated must provide a written notice to the PC Chair and ~~(SS/PI)~~ **Governance/Parent Engagement** Coordinator within ten (10) calendar days. It shall be the final decision of the Executive Committee whether the member be reinstated. If the member is reinstated, member is not reinstated to their former Executive position.

- C. **Punctuality**: Members arriving more than 15 minutes after the regular scheduled meeting or committee meeting start time will not receive a reimbursement unless approved by the Chair or ~~(SS/PI)~~ **Governance/Parent Engagement** Coordinator. Members are expected to stay throughout the duration of the meeting. The Secretary will keep track of representative's arrival time and notify the Clerk of the Boards accordingly.
- D. **Policy Council/Policy Committee Business**: Members conducting PC/Policy Committee business and not at the PC meeting, shall be neither present nor absent, but rather identified as "PC/Policy Committee."

Section 7: Removal

A PC member may be removed by two-thirds vote of all members present and voting whenever, in the judgment of the Council, the best interest of the Council would be served. Action to remove a member must be on the agenda.

ARTICLE IV Meetings

Section 1: Meetings

A. **Annual Meeting**

The annual meeting of the PC shall be held on the 4th Tuesday in November of each year.

B. **Regular Meetings**

Unless notice is otherwise provided, regular meetings of the PC shall be held on the fourth Tuesday of each month at 9:00 a.m. at the SETA Board Room.

C. **Special Meetings**

Special meetings of the PC may be called at anytime by the SETA Governing Board, PC Chair, Children and Family Services Deputy Director, SETA Executive Director or upon petition by at least a majority of the members of the PC.

D. **Quorum**

For the purpose of transacting the business of the PC at any annual, regular, special, or emergency meeting, a quorum of the PC shall be necessary. A quorum shall be a majority 41% of those entitled to vote. Vacant positions on the PC shall not be considered in establishing a quorum.

Section 2: Meeting Notice

Meeting notices shall include an agenda for the next meeting, and Council members shall be provided with the minutes of the preceding (annual, regular, special or emergency) meeting as soon as possible.

A. Annual and Regular Meetings:

Notice of annual and regular meetings of the PC shall be in writing, provided to all members of the PC, and posted at least 72 hours in advance of the meeting as required by the Ralph M. Brown Act. Staff shall endeavor to postmark such notice at least five (5) calendar days prior to the meeting, but failure to do so shall not preclude action, provided that the notice requirements of the Ralph M. Brown Act have been satisfied.

B. Special Meetings:

Members of the PC must be notified of special meetings not less than twenty-four (24) hours prior to any special meeting. Staff shall endeavor to provide such notice at least 72 hours prior to any special meeting, but failure to do so shall not preclude action, provided that the notice requirements of the Ralph M. Brown Act have been satisfied. No other business or discussion may be transacted or entertained at special meetings of the PC, excepting that business and/or discussion for which the special meeting was called.

C. Emergency Meetings:

The PC may hold emergency meetings as defined in the Ralph M. Brown Act without complying with the notice provisions of either Section A or Section B of this Article IV, provided that the PC determines that an emergency situation as defined in the Ralph M. Brown Act exists.

D. Committee Meetings:

Members of the PC must be notified in writing of committee meetings. Notice of regularly scheduled meetings shall be provided in compliance with Section A, above. Notice of special meetings of other committees shall be provided in compliance with Section B, above, shall be delivered personally, or by mail and shall be received at least twenty-four (24) hours before the time of such meeting as specified in the notice.

Any member missing two (2) consecutive committee meetings without an excused absence or missing a total of three (3) meetings excused/unexcused may be removed from that committee. An excused absence shall include but not be limited to sickness, death in the family, or conducting PC business. A member requesting an excused absence must call the PC Chair, ~~(SS/PI)~~ **Governance/Parent Engagement** Coordinator or the Clerk of the Boards and request an excused

absence prior to the meeting.

Section 3: Open Meetings

The PC shall conduct meetings, regular, annual, special and emergency, in conformance with the Ralph M. Brown Act, California Government Code Section 54950, et. seq.

Section 4: Mailing Address

Notices to all meetings of the PC shall be in writing and delivered personally or by mail to the PC members' addresses, as recorded in the PC records. The Council members, their alternates and Community Members, shall be personally responsible for the accuracy of mailing address. Updated contact information should be submitted to ~~(SS/PI)~~ **Governance/Parent Engagement** Coordinator or Clerk of the Boards within ten (10) calendar days of change.

Section 5: Rules of Procedure

Except as specifically provided herein, Robert's Rules of Order¹ shall govern procedures in all meetings of the PC. (A loaner copy of the Robert's Rules of Order is available upon request.) Notwithstanding any contrary provision contained in these Bylaws or Robert's Rules of Order, if a special meeting is called because a regular meeting has been canceled or because a quorum is unavailable at a regular meeting, any matter properly considered at a regular meeting may be considered at the special meeting, provided that all notice, quorum and meeting requirements of this Article IV regarding special meetings have been met.

Section 6: Nominations/Elections

PC Board Members or candidates must be present to be nominated or elected. However, if PC member is absent due to PC business, the member may be nominated or elected.

Section 7: Voting

Each PC Board Member has one vote which cannot be cast by proxy. In the event of a conflict of interest, affected members shall, consistent with the California Political Reform Act, disclose the existence of the conflict and shall neither participate in the deliberations regarding, nor vote on the matter. Actions of the PC may be taken only by a majority vote of all of the PC members present, provided that any abstentions shall be counted as votes with the majority of those members actually voting. If a member has not voted because of disqualification due to a conflict of interest, that fact shall be noted in the minutes, but his/her vote shall not be recorded either as an affirmative vote, a negative vote or an abstention. Results of the voting will be announced by the Chair.

Section 8: Meeting Reimbursement

Each PC member will receive reimbursement for reasonable expenses. This amount is determined by the Head Start Division according to the PC Reimbursement Policies and

Procedures.

Parents are not to bring small children to the meetings. If small children are present, members will be reimbursed for transportation/mileage only.

¹Robert's Rules of Order: Simplified and Applied, 2nd ed., Copyright, 2001

- A. Members will receive reimbursement for the actual cost of child care (not to exceed ~~\$40~~ **\$60** in a 24-hour day when attending conferences, workshops, trainings, orientation, Parent Leadership Institute, or participation in the Agency hiring process) to be in alignment with PC/PAC Reimbursement Policies and Procedures. Additionally, transportation/mileage will be provided for attending required meetings/obligations listed below:
1. PC (regularly scheduled, annual, emergency and special meetings)
 2. Interview/screening/exam panels
 3. Standing committee meetings (Budget/Planning, Personnel/Bylaws, Executive, Social/Hospitality, Parent Ambassador)
 4. Office of Head Start (OHS) Monitoring Protocol Training/Review (reimbursement for training received after completion of first review-Monitoring/Evaluation Committee) and Program Self Assessment
 5. Program Area Committees
 6. Health Services Advisory Committee (HSAC)
 7. Ad Hoc (special) Committee meetings
 8. Community Action Board meetings (CAB)
 9. Governing Board Meetings (only applies to the Chair or an Executive Officer in the absence of the Chair.)
 10. Workforce Development Board and Committee meetings (only applies to the Chair or Executive Officer in the absence of the Chair.)
 11. Maternal, Child and Adolescent Health Advisory Board
 12. Sacramento Medi-Cal Dental Advisory Committee
- B. Member/Alternates who are a spouse or significant other, will not each receive reimbursement.
- C. Members will receive only one reimbursement per day, ~~regardless of the number of meetings attended.~~ **unless they left and went home/work for two (2) or more hours and is required to come back for another meeting. Members will only receive reimbursement for mileage for that meeting.** Only members of said committee will be reimbursed for attending meetings. A lunch reimbursement or meal will be provided if a meeting or meetings exceed four (4) hours.

ARTICLE V

Officers

Section 1: Officers

The Officers of the PC shall be the Chair, Vice Chair, Secretary, Treasurer, and Parliamentarian.

Section 2: Election and Term of Office

- A. Election of the new officers shall be held at the next meeting following the annual meeting of the newly seated PC by a plurality vote of the PC members present and voting. At least 51% of the officers must be current parents. Officers elected shall take office immediately following election.
- B. No member shall hold more than one (1) office at a time, and no member shall be eligible to serve more than two (2) terms in the same office. No more than one (1) representative per each of the SOP, Delegate Agencies, or Community Representatives shall serve as an officer.
- C. A SOP Parent Advisory Committee (PAC) member who has not been re-elected/replaced (called a holding member) shall not be eligible for election to represent PAC on PC or hold an officer position.

Section 3: Duties of Officers

The duties of the PC officers shall be as prescribed in these Bylaws and shall also include such other duties as may be established by the PC that are not in conflict with these Bylaws.

- A. The Chair of the PC shall preside over all meetings of the PC and implement all policies and programs of the PC. The Chair shall act as the official agent of the PC in all matters relating to the PC, and shall be the chief spokesperson and public relations officer for the PC. The Chair shall have the power to appoint, both in and out of the PC, any additional positions as needed with ratification of the PC. The Chair shall represent the PC at the National Head Start Association Parent Conference. The Chair shall be an ex-officio member of all committees and shall represent the PC at all Governing Board meetings, but shall adhere to Article IV, Section 8 as it relates to reimbursement.
- B. The Vice Chair shall serve as Chair of the PC in the absence of the Chair, and shall have all the delegated powers. The Vice Chair will assume the position of Chair if the seat of Chair is vacated. An election will be held for Vice Chair. Should both the Chair and Vice Chair leave office simultaneously, an election will be held at the next regularly scheduled meeting to replace both. The Secretary shall preside over the election in this event. The Vice Chair shall oversee the Parent Ambassador Committee.
- C. The Secretary shall call the roll, keep records of the current and preceding minutes at each meeting, and record resolutions or motions adopted, as may be necessary to expedite the PC's business. The Secretary shall oversee the Social/Hospitality Committee, and shall be a member of the Parent Ambassador Committee.
- D. The Treasurer shall work with staff and Council Secretary and keep such records, files and accounts as may be necessary to expedite the PC's business, work with the

Staff and Council Secretary. The Treasurer shall be a member of the Social/Hospitality Committee and the Parent Ambassador Committee.

- E. The Parliamentarian shall advise the presiding officer on matters pertaining to parliamentary procedure and oversee the Personnel/Bylaws Committee. If the Parliamentarian sits by the Chair, he or she is not entitled to make motions, discuss motions, or vote.

Section 4: Vacancy

In the event an officer is unable to perform his/her duties, including failure to learn and/or comply with the rules governing PC (Bylaws, Brown Act, Robert's Rules of Order), or failure to act in the best interest of the board, the PC Chair shall appoint an interim officer until the officer returns to duty or is replaced at the next regularly scheduled meeting. The appointment of the officer must be made from among the membership of the PC.

- A. In the event of a vacancy in the position of Chair, the Vice Chair becomes Chair until the next regular election in December.
- B. In the event of a vacancy in any other office, an election shall take place at the next regular, annual or special meeting of the PC.

ARTICLE VI
Committees

There is hereby created standing committees of the PC. No committee meeting shall have a majority of PC members present without proper public notice.

Section 1: Standing Committees

Executive Committee

The Executive Committee shall be comprised of all elected officers. The Executive Committee shall perform such powers, duties, and functions as provided in these bylaws and such other powers, duties, and functions as established by the Policy Council. The Executive Committee shall meet at the discretion of the PC Chair or PC. Notice of an Executive Committee meeting shall be sent to all PC members no less than three (3) calendar days before the meeting. The Committee shall report, in writing, all actions at the next meeting of the full PC. In the event of an emergency, the Executive Committee will act on behalf of the Board pending ratification by the PC at the next meeting.

Budget/Planning Committee

- A. Budget/Planning Committee composed of the Treasurer and other members who shall be selected after each annual meeting by the PC. This Committee shall assist in the development and review of all HS/EHS budgets, budget modifications and amendments for the Head Start funding year and submit their review to the full PC for

approval. In addition, this committee shall have input on program design and operations and long- and short-term planning goals and objectives. A monthly fiscal report shall be provided to the PC on the fiscal status of the Head Start budget.

- B. It is recommended that all SOP HS/EHS Budget issues and modifications are approved by the PAC prior to PC approval. The PAC Budget Committee should review said documents.

Personnel/Bylaws Committee

The Personnel/Bylaws Committee shall be composed of the Parliamentarian and members who shall be selected after each annual meeting by the PC. It shall be the duty of this committee to deal with all personnel matters and recommend any changes in Bylaws.

Social/Hospitality Committee

Social/Hospitality Committee shall be composed of the Secretary, Treasurer and other members who shall be selected after each annual meeting of the PC. The duty of this committee shall be to plan for all social activities of the PC. It shall be the duty of this Committee to report the expenditure of funds to the PC.

Parent Ambassador Committee

Parent Ambassador Committee shall be composed one (1) staff member, former parents, and other members who shall be selected after each annual meeting of the PC. The Parent Ambassador Committee representatives shall oversee the committee. Former parents who no longer serve on the PC shall receive reimbursement for participation for one (1) program year. The duty of this committee shall be to promote all PC trainings/events, childrens' and male involvement activities. It shall be the sole duty of this Committee to report the expenditures of funds to the PC monthly.

Section 2: Program Area Committees

There is hereby created Program Area Committees of the PC. The following are Program areas: Early Childhood Development and Health Services, Parent, Family and Community Engagement, Monitoring and Evaluation.

- **Early Childhood Development and Health Services Committee** shall be comprised of one (1) staff and representatives who shall plan and review the Early Childhood Development and Health Services program area, and participate in curriculum/instruction and health and safety.
- **Parent, Family and Community Engagement Committee** shall be comprised of one (1) staff and representatives who shall plan and review the Parent/Family Support program area.
- **The Monitoring and Evaluation Committee** shall be comprised of one (1) staff and the committee of the whole who shall plan, review and oversee program monitoring and evaluation.

PC member representatives shall select at least two (2) Program Area Committees to serve on as described above. Special circumstances may be excused by the Chair.

Section 3: Special Committees:

When necessary to carry on the work of the PC, other committees such as Ad Hoc (special committees), shall be appointed by the Chair. Such committees must have a purpose and time frame for committee appointment. All elected Board meeting members attending approved special committee meetings will receive the standard reimbursement.

ARTICLE VII
Required Reports

Section 1: Required Reports

The following reports shall be provided to the PC monthly. The purpose of reports is to maintain control of program quality and program accountability:

- Fiscal Reports (Budget Reports)
- Corporate Card Statement of Accounts (Credit Card Expense Report)
- USDA Meal/Snacks Report (Child and Adult Care Food Program [CACFP]) Report (SOP)
- Program Information Summaries (Monthly Head Start Report)
- Sacramento County HS/EHS Program Enrollment Report
- Monthly Average Daily Attendance Report

ARTICLE VIII
Bylaws Amendment

These Bylaws may be amended by a two-thirds (2/3) vote of the membership of the PC present and voting, providing that:

- A. There is a quorum present.
- B. All proposals to amend these Bylaws be submitted in open session at a regular, annual or special meeting of the PC. Proposals to amend these Bylaws must originate at least four full calendar weeks prior to the final voting and acceptance or rejection of the proposals.
- C. Written notice of the intention to amend these Bylaws be forwarded to members of the PC at least five (5) calendar days prior to the regular, annual or special meeting when voting is to take place.

- D. The notice of intention to vote upon amendments shall include the specific Articles, Sections, or Sub-Sections to be voted upon, and further that the specific language of the amendments and/or alterations be included in the notice of intention to amend.
- E. No voting on Bylaws amendments may take place excepting at a regular, annual or special meeting of the PC.
- F. Any amendments must also be approved by the SETA Governing Board.

PC Board approved:

ITEM III-B – ACTION

TIMED ITEM 9:00 A.M. AND PUBLIC HEARING
APPROVAL OF CHANGES TO THE SETA PERSONNEL POLICIES AND
PROCEDURES SECTIONS 9 AND 11

BACKGROUND

The SETA Personnel Policies and Procedures provide direction to staff and periodically need to be updated in response to changes in laws, regulations, and the work environment.

In light of changes to new California laws, updated Labor Agreements, and Federal Regulations, SETA has conducted a thorough review of Section 9 to update all leave related policies, added Section 11.21 for a new mandated Lactation Accommodation policy, and added Section 11.22 for a new Personally Identifiable Information (PII) policy. Due to the repeal of the vaccine mandate from the Office of Head Start, Section 11.20 may be permanently removed.

The policy changes include:

Section 9: Leaves

Section 9 was re-ordered and revised to include new California labor laws, to align with current Labor Agreements, and to provide clarity to staff.

Old Version	New Version
9.01 Leave of Absence With or Without Pay	9.01 Protected vs. Unprotected Leaves
9.02 Administrative Leave	9.02 Family Medical Leave Act
9.03 Bereavement Leave	9.03 California Family Rights Act
9.04 Jury Duty	9.04 Pregnancy Disability Leave
9.05 Disability Leave	9.05 Work-Related Disability Leave
9.06 Parental Leave	9.06 Administrative Leave
9.07 Family Care Leave	9.07 Bereavement Leave
9.08 Sick Leave Accrual and Usage	9.08 Jury Duty and Witness Leave
9.09 Catastrophic Leave	9.09 Military Leave
9.10 Vacation	9.10 Domestic Violence, Sexual Assault, Stalking Leave
9.11 Holidays	9.11 Crime Victim Leave
9.12 Personal and Management Leave	9.12 Bone Marrow and Organ Donor Leave
9.13 Paid Sick Leave for Temporary Staff	9.13 School Activities Leave
	9.14 Emergency Responder Leave
	9.15 Leave of Absence With or Without Pay
	9.16 Wage Replacement During Leave
	9.17 Sick Leave Accrual and Usage
	9.18 Paid Sick Leave for Temporary Staff
	9.19 Vacation
	9.20 Holidays
	9.21 Personal and Management Leave

ITEM III-B – ACTION (continued)

Page 2

Specific changes for each section include:

New Section	Change
9.01 Protected vs. Unprotected Leaves	Added to policy to define protected and unprotected leave, and to clarify benefit and job protection eligibilities.
9.02 Family Medical Leave Act	Separated into its own section. Provided additional clarifying language.
9.03 California Family Rights Act	Separated into its own section. Added additional family members to comply with the California Family Rights Act: grandparent, grandchild, sibling, parent-in-law, and designated person.
9.04 Pregnancy Disability Leave	Added section per California law. Clarified that staff on Pregnancy Disability Leave cannot be placed on leave under the California Family Rights Act.
9.05 Work-Related Disability Leave	Added section to create additional clarity. Staff on work-related disability leave will be placed on leave under the Family & Medical Leave Act and California Family Rights Act.
9.06 Administrative Leave	No changes
9.07 Bereavement Leave	No changes
9.08 Jury Duty and Witness Leave	Added Witness Leave per California Law.
9.09 Military Leave	Added section per Federal and California Law.
9.10 Domestic Violence, Sexual Assault, Stalking Leave	Added section per California Law.
9.11 Crime Victim Leave	Added section per California Law.
9.12 Bone Marrow and Organ Donor Leave	Added section per California Law.
9.13 School Activities Leave	Added section per California Law.
9.14 Emergency Responder Leave	Added section per California Law.
9.15 Leave of Absence With or Without Pay	Added section to provide additional information and clarity.
9.16 Wage Replacement During Leave	Separated into its own section. Provided additional clarifying language.
9.17 Sick Leave Accrual and Usage	Added additional family members to comply with California Law: grandparent, grandchild, sibling, parent-in-law, and designated person.
9.18 Paid Sick Leave for Temporary Staff	Added additional family members to comply with California Law: grandparent, grandchild, sibling, parent-in-law, and designated person.
9.19 Vacation	Updated to reflect the current Union Agreements and Unrepresented Employees Resolution
9.20 Holidays	Added Juneteenth
9.21 Personal and Management Leave	Updated to reflect the current Union Agreements and Unrepresented Employees Resolution

ITEM III-B – ACTION (continued)
Page 3

Head Start COVID-19 Vaccine Mandate (Section 11.20) – **Removed**

- Effective April 7, 2023, the Office of Head Start no longer requires a vaccine mandate. This section may be permanently removed from the Policies and Procedures.

Lactation Accommodation (Section 11.21) – **New**

- Added section per California Law.

Personally Identifiable Information (PII) (Section 11.22) – **New**

- Added to align with U.S. Department of Labor guidelines.

The updated Sections of the above noted policies are attached with changes red-lined.

The Governing Board is scheduled to take action on the policy changes on November 2, 2023.

RECOMMENDATION:

Open a public hearing, take public testimony, and take action to close the public hearing and approve the updated Personnel Policies and Procedures Sections 9 and 11.

ACTION: Moved _____ Seconded _____

VOTE: Aye _____ Nay _____ Abstain _____

**SETA
PERSONNEL
POLICIES
AND
PROCEDURES**

SETA PERSONNEL POLICIES AND PROCEDURES

Table of Contents

Section 1	General Provisions	1-8
1.1	Authority and Purpose.....	1
1.2	Concurrence of Council and Board.....	2
1.3	Statement of Intent.....	3
1.4	Personnel Administration.....	4
1.5	Equal Employment Opportunity	5
1.6	Personnel Memoranda	6
1.7	Changes in the Policies and Procedures.....	7
1.8	Employee Responsibility	8
Section 2	Definitions.....	9-17
	Adjourn	9
	Adjourned Meeting	9
	Administrative Leave.....	9
	Agency	9
	Agency Service	9
	Agreement.....	9
	Allocation.....	9
	Alternate Work Schedule	9
	Appeal	9
	Applicant.....	9
	Appointing Authority.....	9
	Appointment	9
	Assembled Examination	10
	Board.....	10
	Candidate	10
	Certification	10
	Chairperson.....	10
	Classification.....	10
	Class Specification.....	10
	COLA.....	10
	Committee.....	10
	Compensatory Time Off	10
	Conflict of Interest	10
	Confidential Employee	10
	Continuous Employment.....	10
	Continuous Filing	11
	Council.....	11
	Daily Rate.....	11
	Demotion.....	11
	Dismissal.....	11
	Domestic Partner.....	11
	Eligible	12
	Eligible List	12
	Employee	12

Entry Level Class	12
Examination	12
Executive Director	12
Exempt Employee	12
Exempt Service	13
Extra Help	13
Flex Schedules	13
Full Year	13
Full Day	13
Grantee Operated Program	13
Head Start Program Director	13
Hourly Rate	13
Incompatible Activities	13
Layoff.....	13
Leave of Absence.....	13
Management Leave	13
Medical File	13
Meeting	14
Monthly Salary	14
Original Appointment.....	14
Part Year	14
Part Day	14
Payroll File.....	14
Personnel Action.....	14
Personnel File	14
Physical Examination.....	14
Position	14
A. Regular	14
B. Part-Time	14
C. Temporary	14
D. Volunteer.....	14
Probationary Period.....	15
Promotion.....	15
Promotional Examination	15
Range	15
Reclassification	15
Reemployment List.....	15
Reinstatement.....	15
Resignation	15
Salary Classification Plan	15
Seniority	15
Separation	15
Special Meeting	16
State.....	16
Status, Type of	16
E. Regular	16
F. Probationary	16
G. Temporary	16
Supplemental Questionnaire	16
Suspension	16

Temporary Employee.....	16
Transfer.....	16
Unassembled Examination.....	16
Vacancy.....	17
Waiver.....	17
Y-Rate.....	17
Section 3	Classification Plan.....18-20
3.1	Salary Classification Plan18-19
3.2	Reclassification20
Section 4	Applications and Screening.....21-31
4.1	Recruitment/Announcements.....21
4.2	Qualifications/Screening.....22-24
4.3	Examinations.....25-26
4.4	Appeals of Disqualification27
4.5	Eligible Lists28
4.6	Hiring Interviews29
4.7	Removal of Names from Eligible Lists30-31
Section 5	Certifications, Appointments and Transfers32-50
5.1	Filling Vacant Positions32
5.2	Appointments.....33-34
5.3	Medical Standards.....35
5.4	Fingerprinting36
5.5	Criminal History Information37-38
5.6	Temporary Assignment of Higher Duties39
5.7	Temporary Reclassification.....40
5.8	Transfers41-42
5.9	Reinstatement.....43
5.10	Reemployment44-45
5.11	Demotion.....46
5.12	Nepotism.....47
5.13	Personnel Records.....48-49
5.14	Temporary Staff50
Section 6	Probationary Period51-53
6.1	Purpose and Duration.....51
6.2	Release of Probationer52
6.3	Fringe Benefit Status During the Probationary Period.....53
Section 7	Performance Evaluations54-55
Section 8	Compensation Plan56-63
8.1	Maintenance of Plan.....56
8.2	Pay Schedule57
8.3	General Salary Adjustments.....58-59
8.4	Salary Step Increases.....60
8.5	Payment of Wages.....61
8.6	Payroll Errors62

8.7	Overtime Rates	63
Section 9	Leaves	64-86
9.1	Leave of Absence With or Without Pay <u>Protected vs. Unprotected Leaves</u>	64-65
9.2	Administrative Leave <u>Family Medical Leave Act</u>	66
9.3	Bereavement Leave <u>California Family Rights Act</u>	67
9.4	Jury Duty <u>Pregnancy Disability Leave</u>	68
9.5	Disability Leave <u>Work-Related Disability Leave</u>	69
9.6	Parental Leave <u>Administrative Leave</u>	70-72
9.7	Family Care Leave <u>Bereavement Leave</u>	73-75
9.8	Sick Leave Accrual and Usage <u>Jury Duty and Witness Leave</u>	76-77
9.9	Catastrophic Leave <u>Military Leave</u>	78-80
9.10	Vacation <u>Domestic Violence, Sexual Assault, Stalking Leave</u>	81-82
9.11	Holidays <u>Crime Victim Leave</u>	83
9.12	Personal and Management Leave <u>Bone Marrow and Organ Donor Leave</u>	84
9.13	Paid Sick Leave for Temporary Staff <u>School Activities Leave</u>	85-86
9.14	Emergency Responder Leave	
9.15	Leave of Absence With or Without Pay	
9.16	Wage Replacement During Leave	
9.17	Sick Leave Accrual and Usage	
9.18	Paid Sick Leave for Temporary Staff	
9.19	Vacation	
9.20	Holidays	
9.21	Personal and Management Leave	
Section 10	Layoffs, Separation from Service, and Disciplinary Action.....	87-92
10.1	Layoff	87
10.2	Resignation	87-88
10.3	Dismissal	88
10.4	Disciplinary Action.....	88-89
10.5	Causes for Disciplinary Action	89
10.6	Notification.....	89-90
10.7	Appeal – Informal.....	90
10.8	Appeal – Formal	90-91
10.9	Failure to Appeal	91
10.10	Hearing	91-92
Section 11	Work Habits.....	93-136
11.1	General Conduct	93-94
11.2	Hours of Work	95-96
11.3	Incompatible Activities.....	97-99
11.4	Harassment, Discrimination, and Retaliation Policy and Complaint Procedure	100-105
11.5	Vehicle and Driving Policy	106-108
11.6	Seat Belt Policy	109
11.7	Travel and Mileage	110-112
11.8	Internet Use.....	113
11.9	Electronic Mail (e-mail)	114-115
11.10	Drug and Alcohol Free Workplace Policy.....	116-119
11.11	Head Start Standards of Conduct.....	120
11.12	Head Start Medication Dispensing	121-122

11.13	HIV/AIDS.....	123-125
11.14	Tobacco Free Policy.....	126-127
11.15	Head Start Uniform Policy.....	128-131
11.16	Social Media Policy.....	132-134
11.17	Reasonable Accommodation Policy and Process.....	135-136
11.18	Remote Work Policy and Process.....	137-139
11.19	COVID-19 Prevention & Response Program.....	140
11.20	Head Start COVID-19 Vaccine Mandate.....	141-143
<u>11.21</u>	<u>...Lactation Accommodation.....</u>	
<u>11.22</u>	<u>...Personally Identifiable Information (PII).....</u>	

Appendix A – (Exempt) Classifications144

Appendix B - Conflict of Interest Classifications... 145-146

Section 9: Leaves

Protected vs. Unprotected Leaves

Section 9.01

A “protected” leave is a leave of absence where eligible employees have a legal right under federal and/or state law to take unpaid time off work for qualifying reasons and for a specific duration with protection from unlawful discrimination, harassment, or retaliation as a result of requesting or taking the protected leave.

Health Benefit Plans: Employees can continue participating in any health benefit plans they were enrolled in before the first day of the leave at the level and under the conditions of coverage as if they had continued in employment for the protected duration of such leave.

Reinstatement: Employees will be reinstated to their original job or an equivalent job with equivalent pay, benefits, and other employment terms and conditions. However, an employee has no greater right to reinstatement than if the employee had been continuously employed rather than on leave. For example, if an employee on a protected leave would have been laid off had the employee not gone on leave, or if the employee's job is eliminated during the leave and no equivalent or comparable job is available, then the employee would not be entitled to reinstatement.

An “unprotected” leave is a leave of absence that does not provide employees with federal and/or state legal protections.

A. Health and benefit plans will cease at the end of the month when an employee is considered in “unpaid status.” Unpaid status is when the employee no longer has accruals to use during unprotected leave.

B. Reinstatement to an employee’s original job, an equivalent job, and other employment terms and conditions are not guaranteed. The Labor Agreement process regarding employees returning from unprotected leave will be followed.

Family Medical Leave Act

Section 9.02

A leave of absence under the federal Family and Medical Leave Act (FMLA) is a protected leave that provides up to 12 workweeks of unpaid family/medical leave within a 12-month period under the following conditions:

- A. You have been employed with the Agency for at least 12 months before the commencement of leave. The 12 months of employment must have accumulated within the previous seven years (certain exceptions apply).
- B. You have worked at least 1,250 hours during the previous 12 months before the need for leave.

Leave may be taken for one or more of the following reasons:

- A. Your serious health condition that makes you unable to perform your job.
- B. To care for your family member who has a serious health condition. A "family member" includes your:
 - 1. Spouse.
 - 2. Parent.
 - 3. Child under the age of 18 or a child over the age of 18 and incapable of self-care due to mental or physical disability at the time FMLA leave is to begin.
- C. The birth of your child or placement of a child with you for adoption or foster care.
- D. Incapacity due to pregnancy, prenatal medical care, or childbirth.
- E. For qualifying exigency leave to assist families of members of the Armed Forces of the United States (including the National Guard and Reserves) to manage their affairs while the military member is on active duty in support of a contingency operation.
- F. For military caregiver leave to care for a covered military servicemember who is undergoing medical treatment, recuperation, or therapy, who is otherwise on outpatient status, or is otherwise on a temporary disability list for a serious injury or illness

Military Family Leave Entitlements

- A. Eligible employees whose spouse, son, daughter, or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement for certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.
- B. Eligible employees may also take a special leave entitlement of up to 26 weeks during a 12-month period to care for a covered servicemember. A covered servicemember is either:

1. A current member of the Armed Forces, the National Guard, or the Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status or on the temporary disability retired list for a serious injury or illness.
2. A veteran who was discharged or released under conditions other than dishonorable at any time during the five years prior to the first date the eligible employee takes FMLA leave to care for the covered veteran and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness. The FMLA definition of "serious injury or illness" for current servicemembers and veterans differs from the definition of "serious health condition."

Calculating the 12-Month Period

- A. The Agency uses a rolling year to calculate the 12-month period during which 12 weeks of family and medical leave or qualifying exigency leaves may be taken under FMLA. A rolling 12-month period measures backward from the date an employee uses any FMLA leave.
- B. Under most circumstances, leave under federal and state law will run simultaneously, and an eligible employee will be entitled to 12 weeks of family and medical leave in the designated 12-month period.
- C. For leave to care for a covered servicemember, the 12-month period begins on the first day of the leave, regardless of how the 12-month period is calculated for other leaves. Leave to care for a covered servicemember is for a maximum of 26 workweeks during a 12-month period.

Leave Procedures

- A. The following procedures shall apply to FMLA leave:
 1. Employees must contact Human Resources as soon as they are aware of the need for family or medical leave. If the leave is for the expected birth, placement for adoption or foster care, or planned medical treatment for the employee's own serious health condition or that of a family member, employees must notify the Agency at least 30 days before the leave begins. If possible, employees must consult with their supervisors regarding scheduling planned medical treatment or procedures to minimize disruption to the operations of the Agency. Any such scheduling is subject to medical certification from the health care provider.
 2. The Agency must be informed as soon as is practical if employees are not able to provide at least 30 days' notice.
 3. If the FMLA request is made because of the employee's own serious health condition, the Agency may require, at its expense, a second opinion from a health care provider that the Agency chooses. The health care provider designated to give a second opinion will not be employed by the Agency.
 4. If the second opinion differs from the first opinion, the Agency may require the employee, at the Agency's expense, to obtain the opinion of a third health care provider designated or approved jointly by the employee and the Agency. The opinion of the third health care provider shall be considered final and binding on the employee and the Agency.

Medical Certification

- A. Employees have 15 calendar days from Human Resources' request for certification to provide it unless it is not practical to do so. The Agency may require another medical

certification if employee's request additional leave beyond the approved amount (For example, if employees need two weeks of consecutive leave, but following the two weeks they need intermittent leave, a new medical certification will be required.) If employees do not provide medical certification in a timely manner to substantiate the need for family and medical leave, the Agency may delay approval of the leave, or continuation thereof, until certification is received. The leave will not be protected under the FMLA if a certification is not received by human resources.

B. If the leave is needed to care for a family member, employees must provide certifications from the health care providers stating:

1. Date of commencement of the serious health condition.
2. Probable duration of the condition.
3. Estimated amount of time needed to care for family member.
4. Confirmation that the serious health condition warrants employee participation.

C. Under the FMLA, when the Agency employs both parents and they each request leave for the birth or placement for adoption or foster care of a child, the Agency will not grant more than 12 work weeks of leave under the FMLA. However, if baby bonding leave is under both FMLA and CFRA (running concurrently), each parent employed by the Agency is entitled to 12 work weeks of leave.

D. If employees request leave for their own serious health condition, they must provide a certification from the health care provider stating:

1. Date of commencement of the serious health condition.
2. Probable duration of the condition.
3. Employee's inability to perform all or any of the essential functions of their positions because of their serious health conditions.

If employees are on leave because of their own serious health conditions, the Agency may require a medical certification releasing them to work or requesting modified duty before returning to work.

E. Failure to provide a release to return to work from the employee's health care provider may result in denial of reinstatement until the certificate is obtained.

Leave Related to Military Service

A leave taken due to a "qualifying exigency" related to military service must be supported by a certification of its necessity. A leave taken due to the need to care for a servicemember must be supported by a certification by the servicemember's health care provider or other certification allowed by law. Special certification requirements apply to leaves related to military service.

Intermittent Leave

Employees may be eligible to take FMLA leave intermittently (in blocks of time or by reducing their normal weekly or daily work schedule) if the leave is for their own serious health condition or that of a qualifying family member and the intermittent time off is substantiated by a medical certification completed by the employee's or family member's health care provider.

Unprotected Leave

An FMLA leave will become an unprotected leave under the following conditions:

1. The 12 weeks of FMLA have ended, and employees are unable to return.
2. Employees no longer qualify for leave under the FMLA.

California Family Rights Act

Section 9.03

The California Family Rights Act (CFRA) provides up to 12 workweeks of protected, unpaid leave within a 12-month period under the following conditions:

1. The employee has been employed by the Agency for at least 12 months before the commencement of leave. The 12 months of employment accumulated within the previous seven years (certain exceptions apply); and
2. The employee has worked at least 1,250 hours during the previous 12-month period before the need for leave.

Leave may be taken for one or more of the following reasons:

1. Employee's own serious health condition that makes them unable to perform their jobs.
2. To care for a family member who has a serious health condition. For purposes of CFRA leave, a "family member" includes:
 - a. Spouse
 - b. Parent
 - c. Child of any age
 - d. Registered domestic partner
 - e. Grandparent
 - f. Grandchild
 - g. Sibling
 - h. Parent-in-law
 - i. Designated person*
3. The birth or adoption of a child or foster care placement in employees' home.
4. A qualifying exigency related to covered active duty or a call to covered active duty of employee's spouse, registered domestic partner, child, or parent in the Armed Forces of the United States.

* A "designated person" is someone with whom employees have a family-like relationship or are related by blood. Employees must identify the individual when they request leave, and are limited to one designated person per 12-month period.

Qualifying Exigencies Related to Active Duty

Eligible employees whose spouse, domestic partner, child, or parent is on covered active duty or call to covered active-duty status may use their 12-week leave entitlement for certain qualifying exigencies. Qualifying exigencies may include, but are not necessarily limited to, attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

Calculating the 12-month Period

The Agency uses a rolling, 12-month period to determine how many hours/weeks of CFRA leave employees use. A rolling 12-month period measures backward from the date an employee uses any CFRA leave.

Leave Procedures

The following procedures shall apply to CFRA leave:

1. Employees must contact Human Resources as soon as they are aware of the need for family or medical leave. If the leave is for the expected birth, placement for adoption or foster care, or planned medical treatment for the employee's serious health condition or that of a family member, employees must notify the Human Resources at least 30 days before the leave begins. If possible, employees must consult with their supervisors regarding scheduling planned medical treatment or procedures to minimize disruption to the operations of the Agency. Any such scheduling is subject to medical certification from the health care provider.
2. Human Resources must be notified as soon as possible if employees are unable to provide at least 30 days' notice.
3. If the CFRA request is made because of the employee's own serious health condition, the Agency may require, at its expense, a second opinion from a health care provider of the Agency's choice. The health care provider designated to give a second opinion will not be employed by the Agency.
4. If the second opinion differs from the first opinion, the Agency may require the employee, at the Agency's expense, to obtain the opinion of a third health care provider designated or approved jointly by the employee and the Agency. The opinion of the third health care provider shall be considered final and binding on the employee and the Agency.

Medical Certification

- A. Employees have 15 calendar days from the Agency's request for medical certification to provide unless it is not practical to do so. The Agency may require another medical certification if employees request additional leave beyond the approved return date. (For example, if you need two weeks of family and medical leave, but following the two weeks you need intermittent leave, a new medical certification will be requested and required.) If employees do not provide medical certification in a timely manner to substantiate the need for family and medical leave, the Agency may delay approval of the leave, or continuation thereof, until certification is received. The leave will not be protected under CFRA if a medical certification is not received by Human Resources.
- B. If the leave is needed to care for a family member, employees must provide a medical certification from the family member's health care provider stating:
 1. Date of commencement of the serious health condition.
 2. Probable duration of the condition.
 3. Estimated amount of time for care needed by the health care provider.
 4. Confirmation that the serious health condition warrants employee participation.
- C. If the leave request is for the employees' serious health condition, they must submit a medical certification from the health care provider stating:
 1. Date of commencement of the serious health condition.
 2. Probable duration of the condition.
 3. Employee's inability to perform all or any of the essential functions of their position due to their serious health condition.
- D. If employees are on leave because of their own serious health condition, the Agency may require a medical release to return to work or recommended work restrictions, if

applicable.

- E. Failure to provide a release to return to work or recommended work restrictions from the employee's health care provider may result in denial of reinstatement until the certificate is obtained.

Intermittent Leave

Employees may take CFRA leave intermittently (in blocks of time or by reducing your normal weekly or daily work schedule) if the leave is for the employee's serious health condition or that of a qualifying family member and the reduced leave schedule is medically necessary as determined by the health care provider of the person with the serious health condition. One hour is the smallest increment of time that can be used for such leave.

Unprotected Leave

Employees will not be protected by CFRA if the following conditions exist:

1. The 12 weeks of CFRA leave have ended and continued leave is still needed.
2. Employees do not qualify for CFRA.

Pregnancy Disability Leave

Section 9.04

A leave under California's Pregnancy Disability Leave Law (PDL) is an unpaid, protected leave that provides up to 4 months of leave if employees are disabled due to pregnancy, childbirth, or related medical conditions (meaning a physical or mental condition intrinsic to pregnancy or childbirth). For the purposes of leave under this policy, "four months" is defined as the number of days the employee would normally work within four calendar months (one-third of a year equaling 17 1/3 weeks) if the leave is taken continuously, following the date the pregnancy leave commences.

- A. The length of PDL will be determined by the advice of employee's health care provider. The four months of leave includes any period of time for actual disability caused by pregnancy, childbirth, or related medical condition. This includes leave for severe morning sickness, prenatal care, doctor-ordered bed rest, and other reasons.
- B. The Agency will consider requests for reasonable accommodation related to pregnancy, childbirth, or related conditions, including temporarily transferring employees to different positions (where one is available), modify work duties or schedules or permit more frequent breaks if medically necessary.
- C. Employees must provide the Agency with a written certification from a health care provider for the need of PDL, reasonable accommodations, or transfer. The certification must be returned no later than 15 calendar days after the Agency requests it. Failure to do so may, in some circumstances, delay PDL, reasonable accommodation, or transfer.
- D. Return from PDL will be allowed only when employee's health care provider sends a release.
- E. Leave does not need to be taken in one continuous period of time and may be taken intermittently, as needed.
- F. If intermittent leave or leave on a reduced work schedule is medically advisable, employees may be required to transfer temporarily to an available alternative position that meets employees' needs. The alternative position does not need to have equivalent job duties but must have the equivalent rate of pay and benefits, and employees must be qualified for the position. The position must accommodate the intermittent leave or reduced work schedule request. Transferring to an alternative position may include altering an existing job.
- G. PDL will run concurrently with the Family and Medical Leave Act (FMLA).
- H. Employees will not be protected by PDL after the 4 months of protected leave have ended and continued leave is still needed.

Work-Related Disability Leave

Section 9.05

- A. Employees who have suffered a work-related injury or illness while performing assigned duties shall immediately notify their supervisor and Human Resources. The employee shall undergo a medical examination as the Appointing Authority or designee deems necessary as quickly as possible.
- B. The employee will be referred to an Agency-designated facility unless the employee has completed a Physician Designation Form prior to the injury. The employee will not be considered absent from duty during the time required for such an examination. Failure or refusal of the employee to undergo a medical examination shall constitute a waiver of the leave benefits in this Section.
- C. An employee who is unable to perform any work assignments because of disability incurred in the performance of assigned duties shall be entitled to disability leave benefits provided pursuant to the California Worker's Compensation Insurance Act:
1. During any period of disability for which payment is not provided under worker's compensation insurance, employees shall use their accrued leave balances, which includes sick leave, vacation, personal time and compensatory time off.
 2. During any period of disability for which payment is provided under worker's compensation insurance, the employee may elect to integrate accrued leave balances with the worker's compensation benefits to equal an amount no greater than 100% of the employee's regular pay.
- D. All leave provisions of this Section shall terminate on the date of the employee's recovery from disability, receipt of permanent disability payment, retirement, termination from Agency employment, or death, whichever occurs first.
- E. Work-related disability leave will run concurrently with the Family and Medical Leave Act (FMLA) and the California Family Rights Act (CFRA).

Unprotected Leave

A work-related disability leave under FMLA/CFRA will become unprotected leave under the following conditions:

1. The 12 weeks of protected leave have ended and continued leave is still needed.
2. Employees do not qualify for FMLA/CFRA.

~~Leave of Absence With or Without Pay~~

~~Section 9.01~~

~~A leave of absence with or without pay will allow a regular employee to be absent from duty for a specified period of time and for specified purpose in accordance with statutory requirements and the applicable collective bargaining agreement.~~

- ~~A. — A request for a medical, pregnancy or parental leave of absence with or without pay shall be made in writing to the employee's immediate supervisor, the Human Resources Chief, and the Department Head, and shall state specifically the reasons for leave (insofar as allowed by law), the date when the leave is to begin, and the probable date of return. Then the request will be forwarded to the Executive Director for final approval.~~
- ~~B. — All other leaves shall be submitted to the employee's supervisor and Department Head and state specifically the reason for the leave, the date it is requested to begin, and the duration and return date for approval. The Department Head will forward it to the Executive Director for final approval.~~
- ~~C. — No employee shall be granted a leave of absence without pay for time off which can be covered by the employee's accrued vacation, compensatory time off, personal leave, or sick leave when applicable. This does not apply to a denial of paid leave for an employee with attendance issues, tardiness or failure to follow call in procedures when not reporting for work.~~
- ~~D. — A leave may be granted for a period not to exceed six (6) months for the following purposes:~~
- ~~1. — Illness or injury, including pregnancy related disability and family care;~~
 - ~~2. — Education or training which would benefit the Agency;~~
 - ~~3. — Parental leave pursuant to Agency policy, or;~~
 - ~~4. — Other personal reasons approved by the Executive Director (or the Appointing Authority).~~
- ~~E. — Accrued sick leave when applicable, vacation leave, compensatory time off, personal leave and management leave must be used prior to taking a leave without pay except as approved by the Executive Director (or the Appointing Authority). An employee may not intersperse paid leave accruals with unpaid leave to accrue benefits or qualify for Agency insurance contributions.~~
- ~~F. — In unusual and special circumstances an employee may be granted up to a six (6) month extension of a leave of absence without pay for a total of up to twelve (12) months. Such extension shall be based on unusual and special circumstances and shall be subject to the approval of the Executive Director (or the Appointing Authority).~~
- ~~G. — A leave of absence may be revoked by the Executive Director (or the Appointing Authority), if the reason for granting a leave was misrepresented or has ceased to exist.~~
- ~~H. — If an employee is on an approved leave of absence of six (6) months or less, necessitated by pregnancy, illness or disability, as verified by medical reports, the employee shall be eligible~~

~~to return to his/her position at the completion of such leave unless statutory provisions provide greater protection.~~

- ~~I. In all other cases, if a leave of absence necessitates a replacement with a regular employee, the employee on leave shall not be returned to the Agency unless a position in the employee's classification is open at the time he/she reports for work. If the position is to be filled on a permanent basis, the employee shall be so advised prior to the leave.~~
- ~~J. If there is not such a vacancy in the employee's current classification at the time of request to return, he/she shall have preferential hiring rights for the first in either the employee's current classification or another classification in which he/she held regular status and which is either open at the time he/she returns from the leave or which becomes open at a later date. Such preferential hiring rights cease when either he/she is re-employed in his/her current classification or one calendar year after termination of the leave, whichever occurs first.~~
- ~~K. Recall rights from a leave without pay shall not supersede the recall rights of laid-off employees. Disputes on preferential hiring rights to vacant positions shall be resolved first by classification seniority. Ties in classification seniority shall be determined by Agency seniority. Ties in Agency seniority will be determined by lot.~~
- ~~L. If the leave of absence without pay necessitates a temporary replacement, the employee on leave shall be returned to the position he/she vacated upon his/her return to work.~~
- ~~M. Employees wishing to return from a leave of absence prior to the original date of return, shall notify their supervisor of their desire to return early and they shall work out a mutually agreeable date of return.~~
- ~~N. Employees who are veterans and/or members of the National Guard shall be entitled to leaves of absence to which they are entitled pursuant to the Military and Veterans Code.~~
- ~~O. An employee failing to return from a leave of absence on the specified return date shall be considered to have resigned their employment with the Agency.~~

Administrative Leave

Section 9.0206

The Executive Director or Appointing Authority may authorize administrative leave when circumstances necessitate the need to do so. Such leave may be paid or unpaid and usually occurs when allegations arise which could result in disciplinary action.

Paid administrative leave is granted in unusual situations. Administrative Leave with pay should only occur when an allegation of misconduct is of such a nature that the employee's presence at the workplace would be detrimental. The Executive Director, designee or Appointing Authority shall make such a determination. Such paid administrative leave will not typically extend more than ten (10) working days after an investigation is completed. ~~the completion of said investigation.~~

Bereavement Leave

Section 9.0~~3~~7

- A. Bereavement leave with pay may be authorized for a regular employee when needed, due to the death of her/his parent, spouse, child, grandparent, brother, sister, mother-in-law, father-in-law, grandchild, son-in-law, daughter-in-law, domestic partner as defined in City Ordinance 92-058, or the death of any close relative who resided with the employee at the time of death.

- B. Such absence for family death shall be limited to time which is definitely required and shall not exceed five (5) days for any one death. This time may be continuous or segmented.

Jury Duty and Witness Leave

Section 9.0408

~~Any full time~~All employees shall be allowed ~~protected such~~ time off with pay as is required in connection with Jury Duty or summons to appear as a witness in a judicial proceeding, pursuant to a subpoena or court order.

- A. Employees needing time off for the purposes of Jury Duty or Witness Leave shall provide a copy of the jury summons, court order or witness subpoena to their ~~notify his/her~~ immediate supervisor immediately upon receiving notice ~~of jury duty~~thereof.
- B. Time off with pay shall be allowed as is required in connection with witness testimony or jury duty; ~~provided~~, however only upon remittance to the Agency of full jury duty fees, excluding mileage, or upon submittal of acceptable evidence that jury fees were waived.
- C. Employees shall be allowed time off from ~~scheduled~~ work without loss of pay ~~as is required~~ if under subpoena ~~in for~~ a proceeding in which the employee was a witness while on official Agency business; ~~provided~~, however, that payment shall be made for such time off only upon remittance to the Agency of full witness fees, other than mileage, or upon submittal of acceptable evidence that witness fees were waived.

Unprotected Leave

A protected jury duty or witness leave will turn into an unprotected leave under the following conditions:

1. The time required to attend jury duty or witness leave per subpoena or court order has ended, and employee does not return to work.
2. Employee attends court proceedings without a valid jury summons, subpoena or court order, or does not provide copies to their supervisor or Human Resources.

Military Leave

Section 9.09

In addition to the qualifying exigency and military caregiver leave protections under the federal Family Medical Leave Act (FMLA) and the California Family Rights Act (CFRA), employees are provided additional protected military leaves.

- A. Under the federal Uniformed Services Employment and Reemployment Rights Act (USERRA), employees called to active duty in the U.S. military, including the U.S. Armed Forces, Reserves, and National Guard, are provided up to five years of unpaid leave for military service. (However, a handful of exceptions exist to this five-year limit.) Employees must be allowed to continue their group health care benefits for up to 24 months during their leave.
 - 1. To be eligible for leave under USERRA, the employee must meet certain requirements, including:
 - a. Providing notice to the Agency that the leave is for military service.
 - b. Being released from the military under honorable conditions.
 - c. Applying for reinstatement within a certain period of time, depending on the length of the leave.
 - 2. Once the leave is over, employees must be reinstated to the position they would have held had they been continuously employed, along with the associated seniority, pay, benefits, and other advantages of employment.
 - 3. If the employee is not qualified for that position, the employer must make a reasonable effort to help the employee qualify—for example, by providing training.
- B. Employees in the California National Guard who are called to active duty are entitled to unpaid leave. Full-time employees must apply for reinstatement within 40 days after they are discharged.
- C. U.S. Armed Forces Reserves, National Guard, or Naval Militia employees are entitled to 17 days of unpaid leave per year for military training, drills, encampment, naval cruises, special exercises, or similar activities.
- D. Employees who are responding to an emergency operational mission of the California Wing of the Civil Air Patrol are provided at least 10 days per calendar year of unpaid Civil Air Patrol leave. Civil Air Patrol leave for a single emergency operational mission cannot exceed more than three days unless an extension of time has been granted by the governmental entity that authorized the emergency operational mission, and the leave extension is approved by the Agency.
- E. Employees who work an average of 20 hours or more per week, and are spouses of a member of the Armed Forces, National Guard, or the Reserves who are on leave from deployment, are entitled to 10 days of unpaid leave.

Formal military orders or documentation are required to take these leaves.

Domestic Violence, Sexual Assault, Stalking Leave

Section 9.10

A leave of absence under California's Domestic Violence, Sexual Assault, and Stalking Leave is a protected leave that provides reasonable and necessary unpaid leave and other reasonable accommodations to employees who are victims of domestic violence, sexual assault, or stalking to attend legal proceedings or obtain other needed relief.

Unpaid leave under this policy is available for an employee who is the victim of domestic violence, sexual assault, or stalking to attend legal proceedings or to obtain or attempt to obtain any relief necessary, including a restraining order, to ensure the employee's own health, safety or welfare, or that of the employee's child or children. Employees may also request unpaid leave for the following purposes:

1. Obtain services from a domestic violence shelter or rape crisis center.
2. Seek medical attention for injuries caused by domestic violence or sexual assault.
3. Obtain psychological counseling for the domestic violence or sexual assault.
4. Take action, such as relocation, to protect against future domestic violence or sexual assault.

To request leave under this policy, an employee should provide their supervisor (reason for leave does not have to be disclosed to supervisor) and Human Resources with as much advance notice as practicable under the circumstances. If advanced notice is not possible, the employee requesting leave under this policy should provide Human Resources one of the following certifications upon returning to work:

1. A police report showing that the employee was a victim of domestic violence or sexual assault.
2. A court order protecting the employee from the perpetrator or other evidence from the court or prosecuting attorney that the employee appeared in court.
3. Documentation from a medical professional, domestic violence or sexual assault victim advocate, health care provider, or counselor showing that the employee's absence was due to treatment for injuries from domestic violence or sexual assault.

In addition, the agency will provide reasonable accommodations to employees who are victims of domestic violence, sexual assault, or stalking for the employees' safety while at work. A reasonable accommodation may include the implementation of safety measures, such as a transfer, reassignment, modified schedule, changed work telephone, changed work station or installed lock; assistance in documenting domestic violence, sexual assault, or stalking that occurs in the workplace; an implemented safety procedure; or another adjustment to the employee's job duties and position.

Crime Victim Leave

Section 9.11

A leave of absence under California's Crime Victim Leave is a protected leave that provides unpaid leave to an eligible employee who is a victim of certain, specified felony crimes or who is an immediate family member of a victim, a registered domestic partner of a victim, or the child of a registered domestic partner of a victim to attend and participate in judicial proceedings related to the crime.

Covered felonies include:

- A violent felony, as defined in subdivision (c) of §667.5 of the Penal Code.
- A serious felony, as defined in subdivision (c) of §1192.7 of the Penal Code.
- A felony provision of law proscribing theft or embezzlement.

Employees requesting leave under this policy are required to submit appropriate documentation, including a copy of the notice of the scheduled proceeding, subpoena, or other court orders prior to the leave or as soon as practicable.

Unprotected Leave

Employees are no longer protected by Crime Victim Leave under the following conditions:

- The judicial proceedings have ended.

Bone Marrow and Organ Donor Leave

Section 9.12

A leave of absence under California's Bone Marrow and Organ Donor Leave is a protected leave that provides eligible employees up to 30 days in a 12-month period of paid leave to donate an organ to another person and up to five days in a 12-month period of paid leave to donate bone marrow to another person. An additional unpaid leave of up to 30 business days in a 12-month period may be granted to an employee donating an organ.

To be eligible, employees must have been employed with the company for 90 days immediately preceding the commencement of leave and provide a written certification that the employee is a bone marrow or organ donor and that the procedure is medically necessary.

Unprotected Leave

Employees are no longer protected by Bone Marrow and Organ Donor Leave under the following conditions:

- The 30 days or 5 days have ended.

School Activities Leave

Section 9.13

A leave of absence under California's School Activity Leave is a protected leave that provides up to 40 hours of unpaid leave each year for employees children's school activities.

Employees may take leave to:

- participate in activities of the school or licensed child care provider of a child;
- find, enroll, or re-enroll a child in a school or with a licensed child care provider; or
- address a "child care provider or school emergency."

Only 8 of the 40 hours may be used to find, enroll, or re-enroll a child.

A "child care provider or school emergency" means that an employee's child is unable to remain in a school or with a child care provider because:

- The school or child care provider has requested that they be picked up;
- the child is exhibiting discipline or behavioral problems;
- there is a school closure or unexpected unavailability of a child care provider, or
- there is a natural disaster.

To qualify for school activities leave, a person must be a "parent" and have a child of the age to attend grades K through 12.

A "parent" under the law includes a:

- Parent
- Legal guardian
- Stepparent
- Foster parent
- Grandparent
- Person standing *in loco parentis* to the child.

The Agency requires proof that the employee took time off for school activity-related purposes.

Unprotected Leave

A protected leave under this policy will turn into an unprotected leave under the following conditions:

- The employee cannot prove the need to use Schools Activity Leave.
- The time off required has ended.

Emergency Responder Leave

Section 9.14

A leave under California's Emergency Responder Leave is a protected leave that provides unpaid leave to eligible employees who are volunteer firefighters, reserve peace officers, or emergency rescue personnel so that such employees may respond to emergency duty. Additionally, employees are provided up to 14 days per calendar year of unpaid leave to engage in scheduled fire, law enforcement, or emergency rescue training.

Employees requesting leave under this policy should comply with the following requirements:

1. Notify the Agency of their status as soon as practicable after hire or upon becoming designated as a volunteer firefighter, reserve peace officer or emergency rescue personnel.
2. When called to emergency service or scheduled training, an employee should notify the Agency as soon as practicable of the need for leave under this policy, provide information regarding the start and end dates for the requested leave, and provide proof.
3. When returning from leave under this policy, the employee should provide the Agency with appropriate written documentation confirming that during the leave, the employee was actively engaged in responding to an emergency or participating in scheduled training.

Unprotected Leave

An Emergency Responder Leave will become an unprotected leave under the following conditions:

- The time needed has ended.

~~Disability Leave~~

~~Section 9.05~~

- ~~A. — An employee who has suffered possible injury in the performance of assigned duties shall immediately notify his/her supervisor and Personnel. The employee shall undergo such medical examination as the Appointing Authority or designee deems necessary as quickly as possible.~~
- ~~B. — The employee will be referred to a SETA designated facility, unless the employee has completed a Physician Designation Form prior to the injury. The employee will not be considered absent from duty during the time required for such examination. Failure or refusal of the employee to undergo such a medical examination shall constitute a waiver on the part of the employee of the leave benefits of this Section.~~
- ~~C. — An employee who is unable to perform any appropriate work assignments because of disability incurred in the performance of assigned duties shall be entitled to disability leave benefits provided pursuant to the California Worker’s Compensation Insurance Act:~~
- ~~1. — During any period of disability for which payment is not provided under worker’s compensation insurance, the employee shall be placed on leave with pay to the extent of any leave with pay which the employee has accrued. Such leave with pay shall be charged against the employee’s accrued leave. For the purpose of this Section, “accrued leave with pay” includes accrued sick leave, vacation and compensating time off.~~
 - ~~2. — During any period of disability for which payment is provided under worker’s compensation insurance or state disability insurance, the employee may elect to integrate accrued leave balances with the worker’s compensation benefits to equal an amount no greater than the employee’s usual pay.~~
- ~~D. — All leave provisions of this section shall terminate on the date of the employee’s recovery from disability, receipt of permanent disability under worker’s compensation insurance, retirement, termination for Agency employment or death, whichever occurs first.~~
-

Parental Leave

Section 9.06

~~Employees may be eligible to take parental leave to provide care to a newborn or newly adopted child, facilitate parental bonding and family adjustment, and to provide time to locate suitable long-term child care arrangements.~~

~~A. Regular Employees~~

~~1. An "eligible employee" is a male or female, full-time or part-time regular employee who has completed at least 2,080 hours of service from the most recent date of hire preceding either:~~

~~a. the birth of a child who resides with the employee and for whom the employee has physical and legal custody, or~~

~~b. the adoption of a child under age four (4) who resides with the employee and for whom the employee has physical and legal custody. Court appointed legal guardians and foster parents do not qualify under this policy.~~

~~"Physical and legal custody" means that the child resides with and is under the supervision of the employee, who has the right and responsibility to make decisions relating to the health, education and welfare of the child.~~

~~2. Eligible employees who apply for parental leave in accordance with this policy shall have the right to a parental leave of absence, including paid and unpaid leave, not to exceed four (4) months, with return rights to the same classification.~~

~~3. "Parental leave" is any leave, whether paid or unpaid, taken by either a female or male employee within one calendar year following the birth or adoption of a child who resides with the employee and for whom the employee has physical and legal custody.~~

~~4. An eligible employee is entitled to parental leave only once for each birth or adoption regardless of the number of children involved (e.g., twins) or a change in employment status such as from part-time to full-time. The eligible employee shall not be entitled to an additional leave due to the same birth or adoption.~~

~~5. An eligible full-time employee shall be eligible for a paid parental leave of up to one hundred sixty (160) hours of continuous paid time off. An eligible part-time employee shall be eligible for up to eighty (80) hours of continuous paid time off during the parental leave.~~

~~For the initial request for parental leave, the eligible employee shall have the right to combine unpaid leave and Agency paid parental leave with other paid leave credits. Paid leave credits are defined as accrued and available hours of sickleave, vacation, holiday, and compensatory time off (CTO).~~

~~6. Parental leave shall not begin prior to the date of the child's birth or adoption. Parental leave shall be completed within twelve (12) months immediately following the date of the child's birth or adoption.~~

- ~~7. A paid or unpaid leave of absence outside of parental leave for medically verified pregnancy complications may be requested pursuant to the Agreement or Personnel Policies, as applicable.~~

~~B. Employees Not Eligible under Section 9.06(a1)~~

- ~~1. Employees who are not "eligible employees" as defined in Section 9.06 A (1) above may utilize accrued and available hours of vacation, compensatory time off (CTO), holiday, sick leave and/or unpaid leave during the parental leave.~~
- ~~2. An employee who takes parental leave under this section and who later becomes eligible for parental leave under Section 9.06 A (1) shall be entitled to a combined maximum parental leave of four (4) months for the same birth or adoption.~~

~~C. Procedures—All Employees~~

~~1. Pay Status While on Parental Leave:~~

~~Unpaid parental leave and paid parental leave including sick leave, vacation, compensatory time off (CTO), and holiday time shall be utilized as follows:~~

- ~~a. In the event an employee elects to utilize paid leave at the beginning of parental leave and thereafter elects either to interrupt the paid leave or exhausts paid leave credits prior to the end of the leave, such employee will be carried on non-paid status for the remainder of the authorized leave period.~~
- ~~b. In the event an employee begins the parental leave on unpaid leave status, such employee may utilize paid leave credits at a later date during the authorized leave. However, paid leave credits once started are to be used continuously at the regularly scheduled rate, until all such credits are exhausted, or until the employee either returns to work or voluntarily interrupts the paid leave and elects to continue on non-paid status for the balance of the authorized leave.~~
- ~~c. The employee shall not be entitled to selectively intersperse paid leave credits with unpaid leave for the purpose of accruing benefits or qualifying for Agency insurance contributions.~~
- ~~d. Parental leave may be integrated with State Disability Insurance (SDI) pursuant to the provisions of Section 8.04.~~
- ~~e. Paid parental leave shall be considered as time worked for purposes of eligibility for recognized holidays occurring during the leave.~~

~~2. Leave Request Processing~~

- ~~a. An employee who wishes to apply for parental leave shall complete a Parental Leave Request and submit the request in advance to the Appointing Authority or designee, with supporting documentation. The completed request must be submitted at least four (4) weeks prior to the beginning date of the leave. The four (4) week requirement may be waived by the Executive Director or designee.~~

~~b. The Executive Director or designee shall process Leave Requests in accordance with the Agreement and this Policy. Leave applicants shall be notified by their supervisor regarding leave approval, within two (2) weeks from the date the leave request was submitted.~~

~~3. Extension of Parental Leave~~

~~In the event the employee desires an extension of Parental Leave beyond the originally approved period within the maximum four (4) month parental leave period limits, the employee must provide the Appointing Authority or designee with a Parental Leave Extension Request. Leave extensions and return rights for leaves exceeding the four (4) months parental leave period shall be governed by Agreement or Personnel Policy, as applicable. The return rights provided under this policy shall not apply to any leave of absence exceeding four (4) months.~~

~~D. Extension of Probationary Period~~

~~In the event parental leave time exceeds thirty (30) calendar days, the probationary period shall be extended by the full period of parental leave, including both the paid and unpaid portions.~~

~~Family Care Leave~~

~~Section 9.07~~

~~Employees shall be eligible to receive Family Care Leave. The purpose of such leave is to provide care for the employee's newborn or newly adopted child, or provide care for the employee's child, spouse, domestic partner, or parent who has a serious health condition.~~

~~A. To be eligible for Family Care Leave, the employee must:~~

- ~~1. have worked for the Agency for at least twelve months and have worked 1250 hours of Agency service from the most recent date of hire prior to the initiation of the leave.~~
- ~~2. be a regular employee, and~~
- ~~3. not have taken a parental leave of absence totaling 696 hours or more within the last 24 months if the purpose of Family Care Leave is to provide additional parental leave for the newborn or newly adopted child.~~

~~B. Definitions~~

- ~~1. Child is the biological, adopted, foster child, step child, legal ward of the employee; a child of a domestic partner; or a child of a person standing in place of the parent for legal purposes who is either:
 - ~~a. Under 18 years of age; or~~
 - ~~b. An adult dependent child.~~~~
- ~~2. Domestic Partner is a person who has a relationship with the employee as defined in Section 2 of these rules.~~
- ~~3. Family Care Leave includes the following:
 - ~~a. Leave for reasons of birth of a child, or placement of a child with an employee in connection with the adoption of the child by the employee; or~~
 - ~~b. Leave for reason of serious illness of a child; or~~
 - ~~c. Leave to care for a parent, spouse, or domestic partner who has a serious health condition.~~~~
- ~~4. Health care provider is an individual holding either a physician's and surgeon's certificate or an osteopathic physician's and surgeon's certificate.~~
- ~~5. Parent is the biological, foster, adoptive parent, stepparent, or legal guardian of the employee.~~
- ~~6. Serious health condition is an illness, injury, impairment, or physical or mental condition which warrants the participation of a family member to provide care during a period of the treatment or supervision and involves either:~~

~~a. Inpatient care in a hospital, hospice, or residential health care facility; or~~

~~b. Continuing treatment or continuing supervision by a health care provider.~~

~~7. Spouse is the person to whom the employee is legally married within the meaning of the Family Law Act.~~

~~C. Leave Requests~~

~~1. If the employee's need for a leave is foreseeable, the employee shall make a reasonable effort to schedule the treatment or supervision to avoid disruption to the operations of the Agency. Such scheduling shall be subject to the approval of the health care provider of the individual requiring the treatment or supervision.~~

~~2. The Agency may require that an employee's request for leave to care for a child, a spouse, a domestic partner, or a parent who has a serious health condition be supported by a certification issued by the health care provider of the individual requiring care.~~

~~3. Eligible employees who are granted Family Care Leave in accordance with this policy shall have the right to a family care leave of absence, including paid and unpaid leave, not to exceed 696 hours with the right to return to the same department and classification.~~

~~4. Subject to the reasonable approval of the Agency, Family Care Leave of up to 696 hours may be taken in one increment within a 24-month period.~~

~~D. Procedures~~

~~1. Pay Status While on Family Care Leave~~

~~a. The employee shall be on unpaid leave status while on Family Care Leave. The employee may elect to utilize any of the employee's accrued vacation, holiday credit, compensatory time off or management leave hours, as applicable, in lieu of unpaid leave. Sick leave may only be used for family care leave pursuant to the Agreement between SETA and AFSCME or the Personnel Resolution Covering Unrepresented Employees, as applicable.~~

~~b. Request for paid leave must be made at the beginning of Family Care Leave. In the event paid leave is interrupted or exhausted, the employee will be carried on unpaid leave status for the remainder of the family care leave.~~

~~c. The employee shall not be entitled to selectively intersperse paid leave credits with unpaid leave for the purpose of accruing benefits or qualifying for Agency insurance contributions.~~

~~2. Leave Request Processing~~

~~a. An employee who wishes to apply for family care leave shall complete a Family Care Leave Request and submit the request to his/her supervisor, with~~

~~supporting documentation, at least four (4) weeks prior to the beginning date of the leave when foreseeable. The four (4) week requirement may be waived by the Executive Director.~~

- ~~b. The leave requests shall be processed in accordance with this policy and the Agreement or Personnel Resolution, as applicable. Leave applicants shall be notified by their supervisor regarding leave approval within two (2) weeks from the date the leave request was submitted, or as soon as practicable in the event of an emergency request.~~

~~3. Extension of Family Care Leave:~~

~~In the event the employee desires an extension of Family Care Leave beyond the originally approved period and within the maximum 696 hours in a 24-month period limitation, the employee must provide the Executive Director with a Family Care Leave Extension Request. The right to return provided under this policy shall not apply to any unpaid family care leave of absence in excess of 696 consecutive hours. Leave extensions and right to return for periods exceeding 12 weeks shall be governed by the Agreement or Personnel Resolution, as applicable.~~

~~4. Extension of Probationary Period:~~

~~The probationary period shall be extended by the full period of family care leave, including both paid and unpaid portions.~~

Leave of Absence With or Without Pay

Section 9.15

A leave of absence with or without pay will allow a regular employee to be absent from duty for a specified period of time and for a specified purpose per statutory requirements and the applicable collective bargaining agreement.

Leave of Absence Duration

A leave may be granted for a period not to exceed six (6) months for the following purposes:

1. Illness or injury, including pregnancy-related disability and family care (must exhaust protected leave);
2. Education or training which would benefit the Agency;
3. Parental leave pursuant to Agency policy, or;
4. Other personal reasons approved by the Executive Director (or the Appointing Authority).

In unusual and special circumstances, an employee may be granted up to a six (6) month extension of a leave of absence without pay for a total of up to twelve (12) months. Such extension shall be based on unusual and special circumstances and subject to the Executive Director's approval (or the Appointing Authority).

The Executive Director (or the Appointing Authority) may revoke a leave of absence if the reason for granting the leave was misrepresented or has ceased to exist.

If an employee is on an approved leave of absence of six (6) months or less, necessitated by pregnancy, illness, or disability, as verified by medical certification, the employee shall be eligible to return to their position after such leave unless statutory provisions provide greater protection.

In all other cases, if a leave of absence necessitates a replacement with a regular employee, the employee on leave shall not be returned to the Agency unless a position in the employee's classification is open when they report for work. The employee shall be advised if the position is to be filled permanently.

If there is not such a vacancy in the employee's current classification at the time of request to return, they shall have preferential hiring rights for the first in either the employee's current classification or another classification in which they held regular status and which is either open at the time they return from the leave or which becomes open at a later date. Such preferential hiring rights cease when either they are re-employed in their current classification or one calendar year after termination of the leave, whichever occurs first.

Recall rights from a leave without pay shall not supersede the recall rights of laid-off employees. Disputes on preferential hiring rights to vacant positions shall be resolved first by classification seniority. Ties in classification seniority shall be determined by Agency seniority. Ties in Agency seniority will be determined by lot.

If the leave of absence without pay necessitates a temporary replacement, the employee on leave shall be returned to the position they vacated upon their return to work.

Employees wishing to return from a leave of absence before the original date of return shall notify their supervisor of their desire to return early, and they shall work out a mutually agreeable return date. A medical certification will be required if the employee is off work due to illness or injury.

Employees who are veterans and/or members of the National Guard shall be entitled to leaves of absence to which they are entitled pursuant to the Military and Veterans Code.

An employee failing to return from a leave of absence on the specified return date shall be considered to have resigned from their employment with the Agency.

See Labor Agreements for more information.

Wage Replacement During Leave

Section 9.15

No employee shall be granted a leave of absence without pay for time off, which can be covered by the employee's accrued vacation, compensatory time off, personal leave, or sick leave when applicable. This does not apply to denying paid leave for an employee with attendance issues, tardiness, or failure to follow call-in procedures when not reporting for work. Employees may also apply for State Disability Insurance benefits, State Paid Family Leave, Agency-Paid Parental Leave and Catastrophic Leave.

Accrued sick leave, when applicable, vacation leave, compensatory time off, personal leave, and management leave must be used prior to taking leave without pay except as approved by the Executive Director (or the Appointing Authority). Employees may not intersperse paid leave accruals with unpaid leave to accrue benefits or qualify for Agency insurance contributions.

State Disability Insurance (SDI)

SDI provides partial wage replacement for up to 52 weeks for employees who are unable to work due to their own nonwork-related illness or injury, pregnancy, or childbirth. This program is funded by employee payroll deductions. If eligible, employees can receive SDI benefits, which is administered by California's Employment Development Department (EDD). SDI pays 60-70% of employee's regular wages.

State Disability Insurance is wage replacement and does not provide employees with a right to take a medical leave of absence.

Paid Family Leave (PFL)

PFL provides partial wage replacement for employees in California for up to eight weeks who need to take time off from work for the following reasons:

- To care for a parent, parent-in-law, child, spouse, registered domestic partner, grandparent, grandchild, or sibling who is seriously ill.
- To bond with employee's newborn, foster child, newly adopted child: or
- For a qualifying exigency related to the covered active duty or call to covered active duty of your spouse, registered domestic partner, parent, or child in the Armed Forces of the United States.

If eligible, employees can receive PFL benefits administered by California's Employment Development Department (EDD). PFL pays employees 60-70% of employee's regular wages.

Paid Family Leave is wage replacement and does not provide employees a right to take a family leave.

Agency-Paid Parental Leave

Employees may be eligible to take parental leave to provide care to a newborn or newly adopted child, facilitate parental bonding and family adjustment, and to provide time to locate suitable long-term child care arrangements.

Regular Employees

1. An "eligible employee" is a full-time or part-time regular employee who has completed at least 2,080 hours of service from the most recent date of hire preceding either:
 - a. the birth of a child who resides with the employee and for whom the employee has physical and legal custody, or
 - b. the adoption of a child under age four (4) who resides with the employee and for whom the employee has physical and legal custody. Court appointed legal guardians and foster parents do not qualify under this policy.

"Physical and legal custody" means that the child resides with and is under the supervision of the employee, who has the right and responsibility to make decisions relating to the health, education and welfare of the child.

2. "Parental leave" is any leave, whether paid or unpaid, taken by an employee within one calendar year following the birth or adoption of a child who resides with the employee and for whom the employee has physical and legal custody.
3. An eligible employee is entitled to parental leave only once for each birth or adoption regardless of the number of children involved (e.g., twins) or a change in employment status such as from part-time to full-time. The eligible employee shall not be entitled to an additional leave due to the same birth or adoption.
4. An eligible full-time employee shall be eligible for a paid parental leave of up to one hundred-sixty (160) hours of continuous paid time off. An eligible part-time employee shall be eligible for up to eighty (80) hours of continuous paid time off during the parental leave.
5. For the initial request for parental leave, the eligible employee shall have the right to combine unpaid leave and Agency-paid parental leave with other paid leave credits. Paid leave credits are defined as accrued and available hours of sick leave, vacation, holiday, and compensatory time off (CTO).
6. Parental leave shall not begin prior to the date of the child's birth or adoption. Parental leave shall be completed within twelve (12) months immediately following the date of the child's birth or adoption.
7. A paid or unpaid leave of absence outside of parental leave for medically verified pregnancy complications may be requested pursuant to the Agreement or Personnel Policies, as applicable.

Employees who are not "eligible employees" as defined above may utilize accrued and available hours of vacation, compensatory time off (CTO), holiday, sick leave, and/or unpaid leave during the parental leave.

Procedures - All Employees

1. Pay Status While on Parental Leave:

- a. Unpaid parental leave and paid parental leave including sick leave, vacation, compensatory time off (CTO), and holiday time shall be utilized as follows:
 - i. In the event an employee elects to utilize paid leave at the beginning of parental leave and thereafter elects either to interrupt the paid leave or exhausts paid leave credits prior to the end of the leave, such employee will be carried on non-paid status for the remainder of the authorized leave period.
 - ii. In the event an employee begins the parental leave on unpaid leave status, such employee may utilize paid leave credits at a later date during the authorized leave. However, paid leave credits once started are to be used continuously at the regularly scheduled rate, until all such credits are exhausted, or until the employee either returns to work or voluntarily interrupts the paid leave and elects to continue on non-paid status for the balance of the authorized leave.
 - iii. The employee shall not be entitled to selectively intersperse paid leave credits with unpaid leave for the purpose of accruing benefits or qualifying for Agency insurance contributions.
 - iv. Parental leave may be integrated with Paid Family Leave (PFL) pursuant to the provisions of this Section.
 - v. Paid parental leave shall be considered time worked for eligibility for recognized holidays occurring during the leave

2. Leave Request Processing

An employee who wishes to apply for parental leave shall complete a Parental Leave Request and submit the request in advance to the Appointing Authority or designee, with supporting documentation. The completed request must be submitted at least four (4) weeks prior to the beginning date of the leave. The Executive Director or designee may waive the four-(4) week requirement.

- a. The Executive Director or designee shall process Leave Requests in accordance with the Agreement and this Policy. Leave applicants shall be notified by their supervisor regarding leave approval, within two (2) weeks from the date the leave request was submitted.

2.3. Extension of Parental Leave

- a. In the event the employee desires an extension of Parental Leave beyond the originally approved period within the maximum four (4) month parental leave period limits, the employee must provide the Appointing Authority or designee with a Parental Leave Extension Request. Leave extensions and return rights for leaves exceeding the four (4) months parental leave period shall be governed by Agreement or Personnel Policy, as applicable. The return rights provided under this policy shall not apply to any leave of absence exceeding four (4) months.

3.4. Extension of Probationary Period

- a. In the event parental leave time exceeds thirty (30) calendar days, the

probationary period shall be extended by the full period of parental leave, including both the paid and unpaid portions.

Catastrophic Leave

- A. Regular employees who are incapacitated and unable to work due to a prolonged non-industrial catastrophic illness or injury may be eligible to receive benefits under the Catastrophic Leave Policy.
- B. Regular employees shall be entitled to participate in the Agency Catastrophic Leave Policy with the following provisions:
 - 1. An employee may donate to or receive from an unrepresented or represented employee annual leave, vacation, holiday, compensating time off (CTO), or management leave hours. Participation in this plan shall be voluntary. Sick leave hours may not be donated under this provision.
 - 2. All donations shall be made and accepted in writing using a form designated by the Agency.
 - 3. The donation in any category must be at least eight (8) hours and in whole-hour increments.
 - 4. The hours donated shall be converted to the receiving employee's hourly rate and credited to the receiving employee's sick leave balance sufficient to keep the employee on full pay and benefits for one pay period at a time.
 - 5. Hours to be donated shall be debited from the donor's leave balance effective with the pay period of the donation and are irrevocable. The hours shall be credited to the recipient's sick leave balance pursuant to (4) above.
 - 6. Management employees may only receive donations from management employees. A non-management employee may not receive donations from a subordinate employee where a direct supervisor/subordinate relationship exists. Any exception to this paragraph must be approved by the Executive Director.
 - 7. To be eligible to use donations, an employee must:
 - a. Be incapacitated and unable to work due to a prolonged non-industrial illness or injury, which is estimated to last for at least thirty (30) calendar days;
 - b. Have exhausted all usable leave balances, including sick leave;
 - c. Be on an approved leave of absence.
 - d. All donated hours must be used on a continuous and uninterrupted basis and will be paid at the rate of pay and normal work schedule of the recipient, along with all usable hours accrued, until the earliest of the following events occurs
 - e. All leave balances, including both donated and accrued leave, are exhausted; or
 - f. The employee returns to work at their normal work schedule; or
 - g. The employee's employment terminates.

8. Donations received while a recipient is still utilizing previously donated and related accrued leave time may be used immediately thereafter.

Hours donated subsequently to exhausting all donated hours shall be accumulated and utilized along with related accrued leave hours in amounts equal to the recipient's normal bi-weekly work hours.

9. Used donated leave time shall count toward the application of Agency service and benefits in the same manner as when the employee is on sick leave.

10. Used donated leave time shall be subject to the recipient's normal payroll deductions.

C. For the interpretation of this policy, the following words and terms shall be construed as stated:

Catastrophic - A medically certified condition in which the employee is incapacitated and unable to work due to a prolonged non-industrial illness or injury, which is estimated to last for at least thirty (30) calendar days.

Donated Hours - Pledged vacation, holiday credit, management leave, and CTO hours, which have been donated for use by the recipient on the Agency designated form.

Usable Hours - Vacation, holiday credit, management leave, and compensating time off hours that have been credited to an employee and are available for use by the employee.

Procedures for donating hours:

1. Pledges for donated hours will be made by the donating employee on an Agency provided form and forwarded to the Fiscal Department.

2. All donated hours will be transferred for use by the recipient at the end of the pay period during which the donation form is processed. Donated hours will be used in the order received.

The Fiscal Department will confirm with Human Resources that the recipient employee is qualified to receive donation pledges.

D. Extension of Probationary Period:

1. The probationary period shall be extended by the full period of the approved leave of absence, including periods of paid catastrophic leave.

Sick Leave Accrual and Usage

Section 9.0817

Sick leave accruals shall be earned by regular and probationary employees based on the equivalent of full-time service from the date of appointment.

- A. Sick leave hours shall accrue to and be useable by the employee upon completion of the end of the day on the last day of the bi-weekly pay period in which it is earned. Sick leave requires the ~~approval of the supervisor~~ supervisor's approval and may be denied as provided below. Unapproved sick leave is an absence without leave and shall be unpaid. Unexcused sick leave is sick leave for a purpose not approved herein, or in a manner or amount which exceeds the standards defined below.
- B. Sick leave is accrued as follows:
1. 40-hour work week regular employees: sick leave hours accrue on the basis of four (4) hours, per bi-weekly pay period of service, or thirteen (13) days annually, and may be accumulated without limitation.
 2. Less than 40-hour work week regular employees: sick leave hours shall accrue in proportion to their regular work week hours compared with the forty (40) hour work week so that 4-hour employees earn two (2) hours per bi-weekly pay period or 6.5 days annually; 6-hour employees earn three (3) hours per bi-weekly pay period or 9.75 days annually; and 7-hour employees earn three and one-half (3½) hours per biweekly pay period or 11.375 days annually.
- C. A regular or probationary employee may utilize their accumulated sick leave when unable to perform their work duties ~~by reason~~ because of the following:
1. ~~p~~Physical or mental illness
 2. ~~e~~On or off-the-job injury, including victims of domestic violence, stalking and sexual abuse as defined by the Kin Care Law
 3. ~~n~~Necessary medical or dental care
 4. ~~e~~Exposure to or having an active contagious disease such that the health of employees, or the public would be endangered by the employee being at work
 5. Illness, serious medical treatment, or operation in the employee's family, including parent, parent-in-law, child, spouse, registered domestic partner, grandparent, grandchild, sibling, or designated person. *Designated person is defined as a person identified by the employee at the time the employee requests paid sick days permitted to one designated person per 12-month period.
 5. ~~illness in the employee's immediate family as defined by law~~
 6. ~~p~~Pregnancy and childbirth
 7. ~~attendance during a serious medical treatment or operation performed upon an immediate family member as defined by law~~

An employee may be required to present a certificate of the attending physician or medical practitioner to substantiate the need for and use of sick leave as allowed by law. The Agency may also require a fitness for duty examination for cause as determined by observation of the employee's behavior or disclosure of their medical condition. The Agency may require a fitness

for duty examination upon release to return to work from absence for a serious illness, injury, or exposure to a contagious disease.

- D. The Executive Director, designee, or Appointing Authority may place an employee on involuntary sick leave when recommended by a competent medical authority and when the employee's presence at work endangers the health or work performance of the employee, other employees, the Head Start children under their supervision, or Agency clients.
- E. ~~An employee who is using excessive sick leave shall be notified of the concern by his/her~~ Employees using excessive sick leave shall be notified of the concern by their direct supervisor as soon as practical and counseled regarding the use and abuse of sick leave. After initial verbal counseling, upon another occurrence the employee shall be notified in writing of the attendance requirements and advised that discipline may follow if the behavior is not corrected. Failure to report to work regularly and to follow procedures for calling out sick may be grounds for disciplinary action.

Excessive sick leave is defined as using sick leave in excess of that protected by law as follows:

- ~~1.~~ The employee has a rate of utilization of sick leave in excess of ~~that~~ what is protected by law, which is in excess of fifty percent (50%) of the yearly accrual. The employee will be notified of this utilization threshold when they reach forty percent (40%) usage, if possible.
 - ~~1.~~
 - ~~2.~~
 - ~~2.~~ 2. The employee has a pattern of sick leave use which causes concern ~~as to~~ about its legitimacy, including time associated with weekends, holidays or other leave, and/or after refused time off for that period.
 - 3. Supervisors/managers shall monitor the sick leave use by all employees under their supervisor or direction, including ~~the use of~~ using sick leave covered by FMLA, Kin Care and other legally protected sick leave.
- F. If an employee in a class designated as Management in the annual salary classification plan dies while employed by the Agency, whether or not the death is job-related, the beneficiary shall be paid the monetary value of all sick leave accrued by the employee at the time of death.
- G. Unused sick leave at the time of retirement shall be eligible for conversion to service credit as the retirement plan allows.

~~H. Immediate family for purposes of this section shall be as defined by law and is found in section 9.03 A of these policies.~~

Paid Sick Leave for

Temporary Staff

Section 9.18

Sick leave credits shall be earned by temporary staff that are paid through the SETA payroll system in accordance with the California Paid Sick Leave requirements.

A. Sick leave credit shall accrue to the employee upon completion of the regular work assignment on the last day of the bi-weekly pay period in which it is earned.

B. Sick leave is accrued as follows:

- a. Sick leave shall accrue on the basis of 1 hour per 30 hours worked and may be accumulated up to 48 hours or 6 days.
- b. Temporary staff, who have completed at least 90 days of employment, may utilize their accumulated sick leave when unable to perform their work duties because of the following:
 - i. Physical or mental illness
 - ii. On or off-the-job injury, including victims of domestic violence, stalking, and sexual abuse as defined by the Kin Care Law
 - iii. Necessary medical or dental care
 - iv. Exposure to or having an active contagious disease such that the health of employees or the public would be endangered by the employee being at work.
 - v. Illness, serious medical treatment or operation in the employee's family, including parent, parent-in-law, child, spouse, registered domestic partner, grandparent, grandchild, sibling, or designated person. *Designated person is defined as a person identified by the employee at the time the employee requests paid sick days permitted to one designated person per 12-month period.
 - vi. Pregnancy and childbirth

The Agency may also require a fitness for duty examination or release upon return from absence for a serious illness or exposure to a contagious disease.

C. Employees may use up to 24 hours of sick leave in a 12-month period. To utilize the benefits, the Temporary staff member must request payment of sick leave hours, which can only be used when the Temporary staff member was scheduled to work or was working. The Agency reserves the right to request documentation regarding the need to utilize sick leave.

- a. Retaliation or discrimination against an employee who requests paid sick days, uses paid sick days, or both are prohibited.
- b. Accrued Sick leave benefits will not be cashed out upon termination. However, if a Temporary staff member returns within a year of terminating their employment, their previous balance will be restored.

In the event that any of the terms or provisions of this policy are declared invalid or unenforceable by any Court of competent jurisdiction or any Federal or State Government Agency having jurisdiction over the subject matter of this Agreement, the remaining terms and provisions that are not affected thereby shall remain in full force and effect.

In the event that any of the terms or provisions of this policy are altered due to changes in Local, State, or Federal law, those changes will take effect in lieu of the terms outlined in this policy, but the remaining terms and provisions that are not affected thereby shall remain in full force and effect.

~~Catastrophic Leave~~

~~Section 9.09~~

- ~~A. Regular employees, who are incapacitated and unable to work due to a prolonged non-industrial catastrophic illness or injury may be eligible to receive benefits under the Catastrophic Leave Policy.~~
- ~~B. Regular employees shall be entitled to participate in the Agency Catastrophic Leave Policy with the following provisions:~~
- ~~1. An employee may donate to or receive from an unrepresented or represented employee annual leave, vacation, holiday, compensating time off (CTO), or management leave hours. Participation in this plan shall be voluntary. Sick leave hours may not be donated under this provision.~~
 - ~~2. All donations shall be made and accepted in writing using a form designated by the Agency.~~
 - ~~3. The donation in any category must be a minimum of eight (8) hours and in whole hour increments.~~
 - ~~4. The hours donated shall be converted to the receiving employee's hourly rate and credited to the receiving employee's sick leave balance sufficient to keep the employee on full pay and benefits for one pay period at a time.~~
 - ~~5. Hours to be donated shall be debited from the donor's leave balance effective with the pay period of the donation and are irrevocable. The hours shall be credited to the recipient's sick leave balance pursuant to (4) above.~~
 - ~~6. Management employees may only receive donations from management employees. A non-management employee may not receive donations from a subordinate employee where a direct supervisor/subordinate relationship exists. Any exception to this paragraph must be approved by the Executive Director.~~
 - ~~7. To be eligible to use donations, an employee must:
 - ~~a. be incapacitated and unable to work due to a prolonged non-industrial illness or injury which is estimated to last for at least thirty (30) calendar days;~~
 - ~~b. have exhausted all usable leave balances, including sick leave;~~
 - ~~c. be on an approved leave of absence.~~~~
 - ~~8. All donated hours must be used on a continuous and uninterrupted basis and will be paid at the rate of pay and normal work schedule of the recipient, along with all usable hours accrued, until the earliest of the following events occurs:~~

~~a. All leave balances, including both donated and accrued leave, are exhausted; or~~

~~b. The employee returns to work at his/her normal work schedule; or~~

~~c. The employee's employment terminates.~~

~~9. Donations received while a recipient is still utilizing previously donated and related accrued leave time may be used immediately thereafter.~~

~~Hours donated subsequent to exhausting all donated hours shall be accumulated and utilized along with related accrued leave hours in amounts equal to the recipient's normal bi-weekly work hours.~~

~~10. Used donated leave time shall count toward the application of Agency service and benefits in the same manner as when the employee is on sick leave.~~

~~11. Used donated leave time shall be subject to the recipient's normal payroll deductions.~~

~~C. For the interpretation of this policy, the following words and terms shall be construed as stated:~~

~~Catastrophic—A medically certified condition in which the employee is incapacitated and unable to work due to a prolonged non-industrial illness or injury which is estimated to last for at least thirty (30) calendar days.~~

~~Donated Hours—Pledged vacation, holiday credit, management leave, and CTO hours which have been donated for use by the recipient on the Agency designated form.~~

~~Usable Hours—Vacation, holiday credit, management leave, and compensating time off hours which have been credited to an employee and are available for use by the employee.~~

~~D. Procedures for donating hours:~~

~~1. Pledges for donated hours will be made by the donating employee on an Agency provided form and forwarded to the Fiscal Department.~~

~~2. All donated hours will be transferred for use by the recipient at the end of the pay period during which the donation form is processed. Donated hours will be used in the order received.~~

~~3. The Fiscal Department will confirm that the recipient employee is qualified to receive donation pledges.~~

~~4. The recipient employee's leave of absence will convert to active status while donated hours are utilized.~~

~~E. Extension of Probationary Period:~~

~~The probationary period shall be extended by the full period of the approved leave of absence, including periods of paid catastrophic leave.~~

Vacation

Section 9.1019

All regular and probationary employees who have completed six months of service with the Agency shall be eligible to use accrued vacation.

- A. ~~Accrual of~~ Vacation Leave (~~Annual leave~~) shall accrue at the rate shown below:
1. 4.0 hours per bi-weekly pay period through three (3) years of service;
 - ~~2.~~ 2. 5.5 hours per bi-weekly pay period beginning with four (4) and through ~~fifteen-ten~~ (~~15~~10) years of service;
 - ~~2.3.~~ 2.3. 6.6 hours per bi-weekly pay period beginning with eleven (11) and through fifteen (15) years of services;
 - ~~3.4.~~ 3.4. 7.1 hours per bi-weekly pay period after fifteen (15) years of service.
- B. Prior to taking accrued vacation time, each employee shall obtain ~~the~~ approval from ~~his/her~~their immediate supervisor, manager, or chief, consistent with the requirements of the department.
- C. ~~Upon an employee's request and receipt of approval of the Agency, he/she shall be paid a lump sum of all accrued vacation or an agreed upon portion thereof provided that the employee has completed six months of service with the Agency. With the approval of the Executive Director or designee, twice per fiscal year, employees may be paid on a regular payday for a maximum total of both occurrences of one hundred (100) hours of accrued vacation in lieu of paid time off. Such payments shall be requested in writing prior to the date on which such payment is to be made. A payment under this provision cannot cash out within 12 contiguous months. Employees shall not be eligible to cash out annual leave prior to completing six calendar months of service.~~
- D. If an employee's request for vacation is denied and the action results in the employee having more than two times ~~her/his~~their annual vacation entitlement, the employee will automatically be paid for the days in excess of ~~his/her~~their accrued entitlement.
- E. An employee who separates or is terminated from Agency Service or who takes military leave in excess of one hundred eighty (180) days shall be paid the monetary value of ~~his/her~~their vacation.
- F. Payment to an employee who separates or terminates shall be made on the last work day of actual duty or as soon thereafter as is practical.
- G. An employee may have any vacation leave taken charged as sick leave, if:
1. The incident(s) would normally qualify under the sick leave policy; and

2. The employee notifies the Executive Director or designee immediately upon his/her/their return; and
 3. The employee provides the documentation required to substantiate the need and use of sick leave.
- H. Temporary ~~employees~~ and regular employees occupying positions that are not twelve (12) months per year shall not accrue vacation leave benefits.
- ~~I. Head Start employees who are on the payroll effective October 1 of each year and who are less than year round employees will receive a one week paid Spring recess (Easter). The benefit does not accumulate and has no cash value.~~
- ~~J.I. Unless otherwise excluded, part time year round employees shall accrue vacation based on the equivalent to full time status. part-time regular employees shall receive pro rata accruals based upon the ratio of how scheduled work hours compare to forty (40) hours during the work week.~~
- ~~K.J. Vacation leave earned but not taken may accrue to a maximum of four hundred eighty (400480) hours.~~

Holidays

Section 9.1120

All Agency regular and probationary employees are eligible for the benefits listed below. Employees holding temporary, on-call, extra-help or ~~student~~-intern positions are not eligible.

- A. All regular and probationary employees of the Agency shall be entitled to holidays as specified below.
- B. All state holidays proclaimed by the Governor, other than Thanksgiving Day, shall not be Agency holidays unless affirmatively made so by resolution of the County Board of Supervisors for County employees.

C. Such holidays include:

New Year's Day	Labor Day
Martin Luther King's Day	Veteran's Day
President's Day	Thanksgiving Day
Cesar Chavez Day	Day after Thanksgiving Day
Memorial Day	Christmas <u>Eve Day (4 hours)</u>
<u>Juneteenth</u>	<u>Christmas Day</u>
Independence Day	<u>New Year's Eve Day (4 hours)</u>

- D. When one of these holidays falls on a Saturday, ~~the employees~~ shall be given the preceding Friday off. When one of these holidays falls on a Sunday, ~~the employees~~ shall be given the following Monday off.
- E. When an employee is required to work on a recognized holiday, such work time shall be compensated as set forth in Section 8 of these Policies and Procedures.
- F. Employees shall work or be on paid leave the entire regularly scheduled shift before and after the holiday to be eligible for holiday pay.
- G. When an employee gives adequate advance notice, the Agency will make reasonable accommodations, by rescheduling working hours or releasing them from work without pay, to allow the employee to observe the Sabbath or other special religious holidays, except under circumstances when such accommodations would unduly interfere with Agency operations. Such release time may be charged to vacation or ~~compensating~~ compensatory time off if requested by the employee.
- ~~H. Each employee shall be allowed four (4) hours off work with pay on December 24th (Christmas Eve) and December 31st (New Year's Eve). The employee shall request such time off from the Executive Director or his/her designee. If the employee is unable, because of the needs of the Agency, to take such time off she/he shall be credited with four (4) hours compensatory time off.~~

Personal and Management Leave

Section 9.2112

A. Effective pay period 21 each year, each represented full-time employee shall be credited with thirty-two (32) hours of personal leave time, and less than year-round and part-time regular employees shall be credited with a proration of thirty-two hours based on the ratio of their regularly scheduled work weeks to one year, or work week to forty (40) hours.

1. Employees hired after October 1 shall be credited on the first of the following month with a proration of the personal leave hours based on the number of pay periods remaining prior to pay period 20 of the following year.
2. Personal leave requests shall be submitted to the supervisor and approved prior to use of the time.
3. Personal leave time may be used in increments of less than a full day.
4. Personal leave time which is not used by pay period 20 each year may not be cashed out. If the employee was unable to use such leave due to unforeseen circumstances such as, but not limited to, leave of absence, prolonged illness or injury, and/or scheduling problems created by business needs, the personal leave balance may be carried over.

A.B. In addition to the recognized holidays, eEach confidential employee shall receive the equivalent of forty-eight (48) hours of personal leave July 1 of each fiscal year.

1. Personal leave time not taken during the fiscal year may not be carried over to the next fiscal year. All personal leave time not used by the end of the fiscal year shall be paid to the employee in cash at the employee's straight time base hourly rate in effect on the last pay day in June of that fiscal year. Temporary employees are not eligible for paid personal leave.
2. Employees who become eligible for the personal leave time benefit after July 1 of any fiscal year shall receive a pro rata based upon the number of full calendar months remaining in that fiscal year.
3. Part-time employees shall accrue personal leave credit on a pro-rata basis.
4. The scheduling of personal leave time off must be approved in advance by the immediate supervisor.

B.C. In addition to the recognized holidays, eEach management employee shall receive the equivalent of seventy-two (72) hours of management leave per year, credited July 1 of each fiscal year. Employees appointed after July 1 of a fiscal year shall be entitled to a pro-rata share of management leave based upon the number of full months remaining in that fiscal year. Management leave not taken during the fiscal year may not be carried

over to the next fiscal year. Management leave not used before the end of the fiscal year, shall be cashed out the following July.

~~Paid Sick Leave for Temporary Staff~~

~~Section 9.13~~

~~Sick leave credits shall be earned by temporary staff that are paid through the SETA payroll system in accordance with the California Paid Sick leave requirements.~~

- ~~A. Sick leave credit shall accrue to the employee upon completion of the regular work assignment on the last day of the bi-weekly pay period in which in it is earned.~~
- ~~B. Sick leave is accrued as follows:
 - ~~a. Sick leave shall accrue on the basis of 1 hour per 30 hours worked, and may be accumulated up to 48 hours or 6 days.~~~~
- ~~C. Temporary staff, that have completed at least 90 days of employment, may utilize their accumulated sick leave when unable to perform their work duties by reason of:
 - ~~a. Illness~~
 - ~~b. On or off the job injury~~
 - ~~c. Necessary medical or dental care, as long as they had provided reasonable notice to their scheduling supervisor.~~
 - ~~d. Exposure to contagious disease under circumstances by which the health of employees or members of the public would be endangered by the attendance of the employee.~~
 - ~~e. Illness or death in the employee's immediate family~~
 - ~~f. Pregnancy~~
 - ~~g. Attendance, at any location, during a serious medical treatment or operation, including childbirth, performed upon a spouse, child or close living relative residing with the employee.~~
 - ~~h. An employer shall provide paid sick days upon the oral or written request of an employee for themselves or a family member for the diagnosis, care or treatment of an existing health condition or preventive care, or specified purposes for an employee who is a victim of domestic violence, sexual assault, or stalking.~~~~
- ~~D. The agency may also require a fitness for duty examination or release upon return from absence for a serious illness, or exposure to a contagious disease.~~
- ~~E. An employee may use up to 24 hours of sick leave in a 12 month period. To utilize the benefits, the Temporary staff member must request payment of sick leave hours, which hours can only be used on a day that the Temporary staff member was scheduled to work~~

~~or was working. The agency reserves the right to request documentation regarding the need to utilize sick leave.~~

~~F. Retaliation or discrimination against an employee who requests paid sick days or uses paid sick days or both is prohibited.~~

~~G. Accrued Sick leave benefits will not be cashed out upon termination. However, if a Temporary staff member returns within a year of terminating their employment their previous balance will be restored.~~

~~H. In the event that any of the terms or provisions of this policy are declared invalid or unenforceable by any Court of competent jurisdiction or any Federal or State Government Agency having jurisdiction over the subject matter of this Agreement, the remaining terms and provisions that are not affected thereby shall remain in full force and effect.~~

~~I. In the event that any of the terms or provisions of this policy are altered due to changes in Local, State, or Federal law those changes will take effect in lieu of the terms outlined in this policy, but the remaining terms and provisions that are not affected thereby shall remain in full force and effect.~~

~~Head Start COVID-19 Vaccine Mandate~~

Section 11.20

~~Purpose:~~

~~As part of President Biden's COVID-19 Action Plan, the Office of Head Start (OHS) published an Interim Final Rule (IFC) on November 30, 2021, requiring all staff to be vaccinated for COVID-19 by January 31, 2022. The purpose of this IFC is to protect the health and safety of Head Start staff, children, and families; to mitigate the spread of the virus that causes COVID-19, SARS-CoV-2, in Head Start programs; and to help more programs and early childhood centers safely remain open.~~

~~Policy:~~

~~All Head Start staff and staff whose salaries are paid with Head Start funds, must be fully vaccinated or have an approved exemption effective January 31, 2022 as a term and condition of employment. This includes all staff on a leave of absence. All staff are required to report their vaccination status and to provide proof of vaccination to Human Resources.~~

~~Staff may request an exception from this mandatory vaccination policy if the vaccine is medically contraindicated for them or medical necessity requires a delay in vaccination. Staff may also request an exemption from this policy if getting vaccinated is a conflict with a sincerely held religious belief, practice, or observance. All such requests will be handled in accordance with applicable laws and regulations and SETA's Reasonable Accommodation Policy.~~

~~All new staff are required to comply with the vaccination requirements outlined in this policy and as a condition of employment. Potential candidates for employment will be notified of the requirements of this policy prior to the start of employment.~~

~~Procedure:~~

~~All vaccinated staff are required to provide proof of COVID-19 vaccination, regardless of where they received vaccination. Proof of vaccination status can be submitted to Human Resources or covid@seta.net.~~

~~Acceptable proof of vaccination status is:~~

- ~~1. A copy of the record of immunization from a healthcare provider or pharmacy;~~
- ~~2. A copy of the COVID-19 Vaccination Record Card;~~
- ~~3. A copy of medical records documenting the vaccination;~~
- ~~4. A copy of immunization records from a public health, state, or tribal immunization information system;~~
- ~~5. A copy of a digital record with QR code from <https://myvaccinerecord.edph.ca.gov/>;~~
- ~~6. A copy of any other official documentation that contains the type of vaccine administered, date(s) of administration, and the name of the healthcare professional(s) or clinic site(s) administering the vaccine(s).~~

~~An employee may take up to two hours of paid time per dose to travel to the vaccination site, receive a vaccination, and return to work if their appointment is during work hours. Staff getting their vaccines out of work hours will not be compensated extra.~~

~~Requesting a medical or religious exemption~~

~~Staff must submit a Medical or Religious Exemption Request Form available on the SETA Staff Resources website.~~

~~Medical exemptions for the COVID-19 vaccine will be considered if the employee provides a written certification by a licensed, treating medical provider [a physician (MD or DO), nurse practitioner (NP), or physician's assistant (PA)], of one of the following:~~

- ~~1. The applicable CDC contraindication for the COVID-19 vaccine; or~~
- ~~2. The applicable contraindication found in the manufacturer's package insert for the COVID-19 vaccine; or~~
- ~~3. A statement that the physical condition of the person or medical circumstances relating to the person are such that immunization is not considered safe, indicating the probable duration of the medical condition or circumstances that contraindicate immunization with the COVID-19 vaccine.~~

~~This written certification can be on the second page of the Medical Exemption Request Form or a separate document on the medical professional's letterhead.~~

~~Religious exemptions for the COVID-19 vaccine will be considered if the employee provides a written explanation on the Religious Exemption Request Form as to why their sincerely held religious belief, practice, or observance conflicts with getting the COVID-19 vaccine.~~

~~Approved exemptions~~

~~All staff who have an approved medical or religious exemption will be required to get tested for COVID-19 on a weekly basis. Testing will take place every Monday starting on January 31, 2022 and will be on paid time.~~

~~Testing will occur in one of the following ways:~~

- ~~1. Rapid test at a testing location determined by the Agency; or~~
- ~~2. Rapid test at a testing location determined by the staff member; or~~
- ~~3. At home test upon arrival to work with a supervisor to verify results; or~~
- ~~4. At home test taken at the staff member's home submitted with a completed attestation form.~~

~~All test results should be sent to covid@seta.net.~~

~~Confidentiality and Privacy:~~

~~All medical information collected from individuals, including vaccination information, test results, and any other information obtained as a result of testing, will be treated in accordance with applicable laws and policies on confidentiality and privacy.~~

Questions:

- ~~Please direct any questions regarding this policy to covid@seta.net.~~

Lactation Accommodation

Section 11.21

The Agency recognizes lactating employees' rights to request lactation accommodation, and accommodates lactating employees by providing a reasonable amount of break time and a suitable lactation location to any employee who desires to express breast milk for their infant child, subject to any exemption allowed under applicable law.

If possible, the break time should run concurrently with the employee's normally scheduled break time. Any break time to express breast milk that does not run concurrently with the employee's normally scheduled break time is unpaid.

The lactation location will be private (shielded from view and free from intrusion from co-workers and the public) and located close to employee's work area. The location will be safe, clean and free of toxic or hazardous materials; have a surface to place a breast pump and other personal items; have a place to sit; and have access to electricity or alternative devices (such as extension cords or charging stations) allowing employees to operate an electric or battery-powered breast pump. The Agency will also provide access to a sink with running water and a refrigerator suitable for storing milk in close proximity to employee's workspace. If a refrigerator cannot be provided, the Agency will provide another cooling device suitable for storing milk, such as an Agency-provided cooler. The lactation location will not be a bathroom or restroom. The room or location may include an employee's private office if it otherwise meets the requirements of the lactation space. Multi-purpose rooms may be used as lactation space if they satisfy the requirements for space; however, use of the room for lactation takes priority over other uses for the time it is in use for lactation purposes.

Employees who desire lactation accommodations should contact Human Resources to request accommodations. An employee's request may be provided orally, by email, or in writing, and need not be submitted on a specific form. The Agency will engage in an interactive process with employees to determine when and where lactation breaks will occur. If the Agency cannot provide break time or a location that complies with this policy, Human Resources will provide a written response to the request.

The Agency will not tolerate discrimination or retaliation against employees who exercise their rights to lactation accommodation, including those who request time to express milk at work and/or who lodge a complaint related to the right to lactation accommodation. If employees believe they have been denied reasonable break time or adequate space to express milk, or have been otherwise denied their rights related to lactation accommodation, they have the right to file a complaint with the Labor Commissioner.

Personally Identifiable Information

(PII)

Section 11.22

Purpose:

The Privacy Act of 1974 safeguards individuals against invasions of privacy when sensitive information is required for official use. SETA may have large quantities of sensitive information relating to the organization, staff, subrecipients, partner organizations, and individual program participants by virtue of its status as a steward of federal funding. This information is generally found in personnel files, participant data sets, performance reports, program evaluations, contract files, and other sources.

Personally Identifiable Information (PII) is defined in the Federal Uniform Guidance (2 CFR 200.1 “Personally Identifiable Information (PII)”) as:

Information that can be used to distinguish or trace an individual’s identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual. Some information that is considered to be PII is available in public sources such as telephone books, public Web sites, and university listings. This type of information is considered to be Public PII and includes, for example, first and last name, address, work telephone number, email address, home telephone number, and general educational credentials. The definition of PII is not anchored to any single category of information or technology. Rather, it requires a case-by-case assessment of the specific risk that an individual can be identified. Non-PII can become PII whenever additional information is made publicly available, in any medium and from any source, that, when combined with other available information, could be used to identify an individual.

Policy:

SETA’s policy is to make every reasonable effort to safeguard confidential information, including personally identifiable information (PII). All staff shall strictly adhere to state and federal regulations pertaining to privacy, confidentiality, and record security.

Consistent with U.S. Department of Labor guidelines, this policy advises all staff who have access to sensitive/confidential/proprietary/private data, of the confidential nature of the information, the safeguards required to protect the information, and that there are civil and criminal sanctions for noncompliance with such safeguards that are contained in federal and state laws.

Safeguards:

It is expected that any employee who has access to sensitive/confidential/proprietary/private data will utilize the information solely for approved business-related purposes. All PII must be secured and protected at all times.

SETA requires that all sensitive information:

- Is collected, used, and stored in a manner that ensures it will not be accessible to anyone

not authorized to access it;

- Is not collected unless needed for the provision of employment, some service or to determine eligibility for a program;
- Is not used for any purpose other than that in which it was intended, unless the subject of the information (if the subject is an adult), or a parent of the subject (if the subject is a minor or dependent), provides consent for the information to be shared;
- Can be released to the subject of the information upon his or her request;
- Is not accessible to anyone other than those authorized to access it (including agents of oversight and regulatory entities, and in cases in which the information has been subpoenaed, parties to the legal matter); and
- Is published only in aggregate form, preventing readers from being able to identify, or reasonably infer the identity of, any individual subject.

In addition to the minimum requirements outlined above, SETA staff shall:

- Utilize appropriate computer, network, and internet security controls;
- Dispose of confidential information and PII in a safe and secure manner; and

In addition, any medical or disability-related information obtained about a particular individual, including information that could lead to the disclosure of a disability, must be collected on separate forms. All such information, whether in hard copy, electronic, or both, must be maintained in one or more separate files, apart from any other information about the individual, and treated as confidential.

Staff shall ensure personnel files, case files, and related records are not left unattended in work stations located in unsecured or public areas. Confidential information must be stored in a locked cabinet or secured area when not in use or under the direct control of authorized personnel. Whether these files are electronic or hard copy, they must be locked or otherwise secured (i.e., through password protection).

Instructions for Reporting Lost, Compromised, or Potentially Compromised PII:

When an employee becomes aware or suspects that PII has been lost, compromised, or potentially compromised he/she shall provide immediate notification of the incident to SETA's Equal Opportunity Officer (EOO). The employee shall provide complete and accurate information including:

- A description of the loss, compromise, or potential compromise
- A description of the safeguards used (locked cabinet, redacted PII, password protection, etc.)
- Whether the employee has contacted or been contacted by any external organization (law enforcement, media, etc.)

Additional PII guidelines for Workforce specific programs can be found in the Directive dated September 6, 2023.

The misuse or mishandling of PII could result in discipline from the Agency. Additionally, the employee may be liable to civil and criminal sanctions for improper disclosure.

**SETA
PERSONNEL
POLICIES
AND
PROCEDURES**

SETA PERSONNEL POLICIES AND PROCEDURES

Table of Contents

Section 1	General Provisions	1-8
1.1	Authority and Purpose.....	1
1.2	Concurrence of Council and Board.....	2
1.3	Statement of Intent.....	3
1.4	Personnel Administration.....	4
1.5	Equal Employment Opportunity	5
1.6	Personnel Memoranda	6
1.7	Changes in the Policies and Procedures.....	7
1.8	Employee Responsibility	8
Section 2	Definitions.....	9-17
	Adjourn	9
	Adjourned Meeting	9
	Administrative Leave.....	9
	Agency	9
	Agency Service	9
	Agreement.....	9
	Allocation.....	9
	Alternate Work Schedule	9
	Appeal	9
	Applicant.....	9
	Appointing Authority.....	9
	Appointment	9
	Assembled Examination	10
	Board.....	10
	Candidate	10
	Certification	10
	Chairperson.....	10
	Classification.....	10
	Class Specification.....	10
	COLA.....	10
	Committee.....	10
	Compensatory Time Off	10
	Conflict of Interest	10
	Confidential Employee	10
	Continuous Employment.....	10
	Continuous Filing	11
	Council.....	11
	Daily Rate.....	11
	Demotion.....	11
	Dismissal.....	11
	Domestic Partner.....	11
	Eligible.....	12
	Eligible List	12
	Employee	12

Entry Level Class	12
Examination	12
Executive Director	12
Exempt Employee	12
Exempt Service	13
Extra Help	13
Flex Schedules	13
Full Year	13
Full Day	13
Grantee Operated Program	13
Head Start Program Director	13
Hourly Rate	13
Incompatible Activities	13
Layoff.....	13
Leave of Absence.....	13
Management Leave	13
Medical File	13
Meeting	14
Monthly Salary	14
Original Appointment.....	14
Part Year	14
Part Day	14
Payroll File.....	14
Personnel Action.....	14
Personnel File	14
Physical Examination.....	14
Position	14
A. Regular	14
B. Part-Time	14
C. Temporary	14
D. Volunteer.....	14
Probationary Period.....	15
Promotion.....	15
Promotional Examination	15
Range	15
Reclassification	15
Reemployment List.....	15
Reinstatement.....	15
Resignation	15
Salary Classification Plan	15
Seniority	15
Separation	15
Special Meeting	16
State.....	16
Status, Type of	16
E. Regular	16
F. Probationary	16
G. Temporary	16
Supplemental Questionnaire	16
Suspension	16

Temporary Employee	16
Transfer	16
Unassembled Examination.....	16
Vacancy.....	17
Waiver.....	17
Y-Rate.....	17
Section 3	Classification Plan.....18-20
3.1	Salary Classification Plan18-19
3.2	Reclassification20
Section 4	Applications and Screening.....21-31
4.1	Recruitment/Announcements.....21
4.2	Qualifications/Screening.....22-24
4.3	Examinations.....25-26
4.4	Appeals of Disqualification27
4.5	Eligible Lists28
4.6	Hiring Interviews29
4.7	Removal of Names from Eligible Lists30-31
Section 5	Certifications, Appointments and Transfers32-50
5.1	Filling Vacant Positions32
5.2	Appointments.....33-34
5.3	Medical Standards.....35
5.4	Fingerprinting36
5.5	Criminal History Information37-38
5.6	Temporary Assignment of Higher Duties39
5.7	Temporary Reclassification.....40
5.8	Transfers41-42
5.9	Reinstatement.....43
5.10	Reemployment44-45
5.11	Demotion.....46
5.12	Nepotism.....47
5.13	Personnel Records.....48-49
5.14	Temporary Staff50
Section 6	Probationary Period51-53
6.1	Purpose and Duration.....51
6.2	Release of Probationer52
6.3	Fringe Benefit Status During the Probationary Period.....53
Section 7	Performance Evaluations54-55
Section 8	Compensation Plan56-63
8.1	Maintenance of Plan.....56
8.2	Pay Schedule57
8.3	General Salary Adjustments.....58-59
8.4	Salary Step Increases.....60
8.5	Payment of Wages.....61
8.6	Payroll Errors62

8.7	Overtime Rates	63
Section 9	Leaves	64-86
9.1	Protected vs. Unprotected Leaves	64-65
9.2	Family Medical Leave Act	66
9.3	California Family Rights Act	67
9.4	Pregnancy Disability Leave.....	68
9.5	Work-Related Disability Leave	69
9.6	Administrative Leave.....	70-72
9.7	Bereavement Leave	73-75
9.8	Jury Duty and Witness Leave.....	76-77
9.9	Military Leave	78-80
9.10	Domestic Violence, Sexual Assault, Stalking Leave	81-82
9.11	Crime Victim Leave	83
9.12	Bone Marrow and Organ Donor Leave	84
9.13	School Activities Leave.....	85-86
9.14	Emergency Responder Leave.....	
9.15	Leave of Absence With or Without Pay.....	
9.16	Wage Replacement During Leave.....	
9.17	Sick Leave Accrual and Usage.....	
9.18	Paid Sick Leave for Temporary Staff.....	
9.19	Vacation.....	
9.20	Holidays.....	
9.21	Personal and Management Leave.....	

Section 10 Layoffs, Separation from Service, and Disciplinary Action.....87-92

10.1	Layoff	87
10.2	Resignation	87-88
10.3	Dismissal	88
10.4	Disciplinary Action.....	88-89
10.5	Causes for Disciplinary Action	89
10.6	Notification.....	89-90
10.7	Appeal – Informal.....	90
10.8	Appeal – Formal	90-91
10.9	Failure to Appeal	91
10.10	Hearing	91-92

Section 11 Work Habits..... 93-136

11.1	General Conduct	93-94
11.2	Hours of Work	95-96
11.3	Incompatible Activities.....	97-99
11.4	Harassment, Discrimination, and Retaliation Policy and Complaint Procedure	100-105
11.5	Vehicle and Driving Policy	106-108
11.6	Seat Belt Policy	109
11.7	Travel and Mileage	110-112
11.8	Internet Use.....	113
11.9	Electronic Mail (e-mail)	114-115
11.10	Drug and Alcohol Free Workplace Policy.....	116-119
11.11	Head Start Standards of Conduct.....	120
11.12	Head Start Medication Dispensing	121-122

11.13	HIV/AIDS.....	123-125
11.14	Tobacco Free Policy.....	126-127
11.15	Head Start Uniform Policy.....	128-131
11.16	Social Media Policy.....	132-134
11.17	Reasonable Accommodation Policy and Process.....	135-136
11.18	Remote Work Policy and Process.....	137-139
11.19	COVID-19 Prevention & Response Program.....	140
11.20	Head Start COVID-19 Vaccine Mandate.....	141-143
11.21	...Lactation Accommodation.....	
11.22	...Personally Identifiable Information (PII).....	

Appendix A – (Exempt) Classifications144

Appendix B - Conflict of Interest Classifications... 145-146

Section 9: Leaves

Protected vs. Unprotected Leaves

Section 9.01

A “protected” leave is a leave of absence where eligible employees have a legal right under federal and/or state law to take unpaid time off work for qualifying reasons and for a specific duration with protection from unlawful discrimination, harassment, or retaliation as a result of requesting or taking the protected leave.

Health Benefit Plans: Employees can continue participating in any health benefit plans they were enrolled in before the first day of the leave at the level and under the conditions of coverage as if they had continued in employment for the protected duration of such leave.

Reinstatement: Employees will be reinstated to their original job or an equivalent job with equivalent pay, benefits, and other employment terms and conditions. However, an employee has no greater right to reinstatement than if the employee had been continuously employed rather than on leave. For example, if an employee on a protected leave would have been laid off had the employee not gone on leave, or if the employee's job is eliminated during the leave and no equivalent or comparable job is available, then the employee would not be entitled to reinstatement.

An “unprotected” leave is a leave of absence that does not provide employees with federal and/or state legal protections.

- A. Health and benefit plans will cease at the end of the month when an employee is considered in “unpaid status.” Unpaid status is when the employee no longer has accruals to use during unprotected leave.
- B. Reinstatement to an employee’s original job, an equivalent job, and other employment terms and conditions are not guaranteed. The Labor Agreement process regarding employees returning from unprotected leave will be followed.

Family Medical Leave Act

Section 9.02

A leave of absence under the federal Family and Medical Leave Act (FMLA) is a protected leave that provides up to 12 workweeks of unpaid family/medical leave within a 12-month period under the following conditions:

- A. You have been employed with the Agency for at least 12 months before the commencement of leave. The 12 months of employment must have accumulated within the previous seven years (certain exceptions apply).
- B. You have worked at least 1,250 hours during the previous 12 months before the need for leave.

Leave may be taken for one or more of the following reasons:

- A. Your serious health condition that makes you unable to perform your job.
- B. To care for your family member who has a serious health condition. A "family member" includes your:
 - 1. Spouse.
 - 2. Parent.
 - 3. Child under the age of 18 or a child over the age of 18 and incapable of self-care due to mental or physical disability at the time FMLA leave is to begin.
- C. The birth of your child or placement of a child with you for adoption or foster care.
- D. Incapacity due to pregnancy, prenatal medical care, or childbirth.
- E. For qualifying exigency leave to assist families of members of the Armed Forces of the United States (including the National Guard and Reserves) to manage their affairs while the military member is on active duty in support of a contingency operation.
- F. For military caregiver leave to care for a covered military servicemember who is undergoing medical treatment, recuperation, or therapy, who is otherwise on outpatient status, or is otherwise on a temporary disability list for a serious injury or illness

Military Family Leave Entitlements

- A. Eligible employees whose spouse, son, daughter, or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement for certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.
- B. Eligible employees may also take a special leave entitlement of up to 26 weeks during a 12-month period to care for a covered servicemember. A covered servicemember is either:

1. A current member of the Armed Forces, the National Guard, or the Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status or on the temporary disability retired list for a serious injury or illness.
2. A veteran who was discharged or released under conditions other than dishonorable at any time during the five years prior to the first date the eligible employee takes FMLA leave to care for the covered veteran and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness. The FMLA definition of "serious injury or illness" for current servicemembers and veterans differs from the definition of "serious health condition."

Calculating the 12-Month Period

- A. The Agency uses a rolling year to calculate the 12-month period during which 12 weeks of family and medical leave or qualifying exigency leaves may be taken under FMLA. A rolling 12-month period measures backward from the date an employee uses any FMLA leave.
- B. Under most circumstances, leave under federal and state law will run simultaneously, and an eligible employee will be entitled to 12 weeks of family and medical leave in the designated 12-month period.
- C. For leave to care for a covered servicemember, the 12-month period begins on the first day of the leave, regardless of how the 12-month period is calculated for other leaves. Leave to care for a covered servicemember is for a maximum of 26 workweeks during a 12-month period.

Leave Procedures

- A. The following procedures shall apply to FMLA leave:
 1. Employees must contact Human Resources as soon as they are aware of the need for family or medical leave. If the leave is for the expected birth, placement for adoption or foster care, or planned medical treatment for the employee's own serious health condition or that of a family member, employees must notify the Agency at least 30 days before the leave begins. If possible, employees must consult with their supervisors regarding scheduling planned medical treatment or procedures to minimize disruption to the operations of the Agency. Any such scheduling is subject to medical certification from the health care provider.
 2. The Agency must be informed as soon as is practical if employees are not able to provide at least 30 days' notice.
 3. If the FMLA request is made because of the employee's own serious health condition, the Agency may require, at its expense, a second opinion from a health care provider that the Agency chooses. The health care provider designated to give a second opinion will not be employed by the Agency.
 4. If the second opinion differs from the first opinion, the Agency may require the employee, at the Agency's expense, to obtain the opinion of a third health care provider designated or approved jointly by the employee and the Agency. The opinion of the third health care provider shall be considered final and binding on the employee and the Agency.

Medical Certification

- A. Employees have 15 calendar days from Human Resources' request for certification to provide it unless it is not practical to do so. The Agency may require another medical

certification if employee's request additional leave beyond the approved amount (*For example, if employees need two weeks of consecutive leave, but following the two weeks they need intermittent leave, a new medical certification will be required.*) If employees do not provide medical certification in a timely manner to substantiate the need for family and medical leave, the Agency may delay approval of the leave, or continuation thereof, until certification is received. The leave will not be protected under the FMLA if a certification is not received by human resources.

- B. If the leave is needed to care for a family member, employees must provide certifications from the health care providers stating:
1. Date of commencement of the serious health condition.
 2. Probable duration of the condition.
 3. Estimated amount of time needed to care for family member.
 4. Confirmation that the serious health condition warrants employee participation.
- C. Under the FMLA, when the Agency employs both parents and they each request leave for the birth or placement for adoption or foster care of a child, the Agency will not grant more than 12 work weeks of leave under the FMLA. However, if baby bonding leave is under both FMLA and CFRA (running concurrently), each parent employed by the Agency is entitled to 12 work weeks of leave.
- D. If employees request leave for their own serious health condition, they must provide a certification from the health care provider stating:
1. Date of commencement of the serious health condition.
 2. Probable duration of the condition.
 3. Employee's inability to perform all or any of the essential functions of their positions because of their serious health conditions.
- If employees are on leave because of their own serious health conditions, the Agency may require a medical certification releasing them to work or requesting modified duty before returning to work.
- E. Failure to provide a release to return to work from the employee's health care provider may result in denial of reinstatement until the certificate is obtained.

Leave Related to Military Service

A leave taken due to a "qualifying exigency" related to military service must be supported by a certification of its necessity. A leave taken due to the need to care for a servicemember must be supported by a certification by the servicemember's health care provider or other certification allowed by law. Special certification requirements apply to leaves related to military service.

Intermittent Leave

Employees may be eligible to take FMLA leave intermittently (in blocks of time or by reducing their normal weekly or daily work schedule) if the leave is for their own serious health condition or that of a qualifying family member and the intermittent time off is substantiated by a medical certification completed by the employee's or family member's health care provider.

Unprotected Leave

An FMLA leave will become an unprotected leave under the following conditions:

1. The 12 weeks of FMLA have ended, and employees are unable to return.
2. Employees no longer qualify for leave under the FMLA.

California Family Rights Act

Section 9.03

The California Family Rights Act (CFRA) provides up to 12 workweeks of protected, unpaid leave within a 12-month period under the following conditions:

1. The employee has been employed by the Agency for at least 12 months before the commencement of leave. The 12 months of employment accumulated within the previous seven years (certain exceptions apply); and
2. The employee has worked at least 1,250 hours during the previous 12-month period before the need for leave.

Leave may be taken for one or more of the following reasons:

1. Employee's own serious health condition that makes them unable to perform their jobs.
2. To care for a family member who has a serious health condition. For purposes of CFRA leave, a "family member" includes:
 - a. Spouse
 - b. Parent
 - c. Child of any age
 - d. Registered domestic partner
 - e. Grandparent
 - f. Grandchild
 - g. Sibling
 - h. Parent-in-law
 - i. Designated person*
3. The birth or adoption of a child or foster care placement in employees' home.
4. A qualifying exigency related to covered active duty or a call to covered active duty of employee's spouse, registered domestic partner, child, or parent in the Armed Forces of the United States.

* A "designated person" is someone with whom employees have a family-like relationship or are related by blood. Employees must identify the individual when they request leave, and are limited to one designated person per 12-month period.

Qualifying Exigencies Related to Active Duty

Eligible employees whose spouse, domestic partner, child, or parent is on covered active duty or call to covered active-duty status may use their 12-week leave entitlement for certain qualifying exigencies. Qualifying exigencies may include, but are not necessarily limited to, attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

Calculating the 12-month Period

The Agency uses a rolling, 12-month period to determine how many hours/weeks of CFRA leave employees use. A rolling 12-month period measures backward from the date an employee uses any CFRA leave.

Leave Procedures

The following procedures shall apply to CFRA leave:

1. Employees must contact Human Resources as soon as they are aware of the need for family or medical leave. If the leave is for the expected birth, placement for adoption or foster care, or planned medical treatment for the employee's serious health condition or that of a family member, employees must notify the Human Resources at least 30 days before the leave begins. If possible, employees must consult with their supervisors regarding scheduling planned medical treatment or procedures to minimize disruption to the operations of the Agency. Any such scheduling is subject to medical certification from the health care provider.
2. Human Resources must be notified as soon as possible if employees are unable to provide at least 30 days' notice.
3. If the CFRA request is made because of the employee's own serious health condition, the Agency may require, at its expense, a second opinion from a health care provider of the Agency's choice. The health care provider designated to give a second opinion will not be employed by the Agency.
4. If the second opinion differs from the first opinion, the Agency may require the employee, at the Agency's expense, to obtain the opinion of a third health care provider designated or approved jointly by the employee and the Agency. The opinion of the third health care provider shall be considered final and binding on the employee and the Agency.

Medical Certification

- A. Employees have 15 calendar days from the Agency's request for medical certification to provide unless it is not practical to do so. The Agency may require another medical certification if employees request additional leave beyond the approved return date. (*For example, if you need two weeks of family and medical leave, but following the two weeks you need intermittent leave, a new medical certification will be requested and required.*) If employees do not provide medical certification in a timely manner to substantiate the need for family and medical leave, the Agency may delay approval of the leave, or continuation thereof, until certification is received. The leave will not be protected under CFRA if a medical certification is not received by Human Resources.
- B. If the leave is needed to care for a family member, employees must provide a medical certification from the family member's health care provider stating:
 1. Date of commencement of the serious health condition.
 2. Probable duration of the condition.
 3. Estimated amount of time for care needed by the health care provider.
 4. Confirmation that the serious health condition warrants employee participation.
- C. If the leave request is for the employees' serious health condition, they must submit a medical certification from the health care provider stating:
 1. Date of commencement of the serious health condition.
 2. Probable duration of the condition.
 3. Employee's inability to perform all or any of the essential functions of their position due to their serious health condition.

- D. If employees are on leave because of their own serious health condition, the Agency may require a medical release to return to work or recommended work restrictions, if

applicable.

- E. Failure to provide a release to return to work or recommended work restrictions from the employee's health care provider may result in denial of reinstatement until the certificate is obtained.

Intermittent Leave

Employees may take CFRA leave intermittently (in blocks of time or by reducing your normal weekly or daily work schedule) if the leave is for the employee's serious health condition or that of a qualifying family member and the reduced leave schedule is medically necessary as determined by the health care provider of the person with the serious health condition. One hour is the smallest increment of time that can be used for such leave.

Unprotected Leave

Employees will not be protected by CFRA if the following conditions exist:

1. The 12 weeks of CFRA leave have ended and continued leave is still needed.
2. Employees do not qualify for CFRA.

Pregnancy Disability Leave

Section 9.04

A leave under California's Pregnancy Disability Leave Law (PDL) is an unpaid, protected leave that provides up to 4 months of leave if employees are disabled due to pregnancy, childbirth, or related medical conditions (meaning a physical or mental condition intrinsic to pregnancy or childbirth). For the purposes of leave under this policy, "four months" is defined as the number of days the employee would normally work within four calendar months (one-third of a year equaling 17 1/3 weeks) if the leave is taken continuously, following the date the pregnancy leave commences.

- A. The length of PDL will be determined by the advice of employee's health care provider. The four months of leave includes any period of time for actual disability caused by pregnancy, childbirth, or related medical condition. This includes leave for severe morning sickness, prenatal care, doctor-ordered bed rest, and other reasons.
- B. The Agency will consider requests for reasonable accommodation related to pregnancy, childbirth, or related conditions, including temporarily transferring employees to different positions (where one is available), modify work duties or schedules or permit more frequent breaks if medically necessary.
- C. Employees must provide the Agency with a written certification from a health care provider for the need of PDL, reasonable accommodations, or transfer. The certification must be returned no later than 15 calendar days after the Agency requests it. Failure to do so may, in some circumstances, delay PDL, reasonable accommodation, or transfer.
- D. Return from PDL will be allowed only when employee's health care provider sends a release.
- E. Leave does not need to be taken in one continuous period of time and may be taken intermittently, as needed.
- F. If intermittent leave or leave on a reduced work schedule is medically advisable, employees may be required to transfer temporarily to an available alternative position that meets employees' needs. The alternative position does not need to have equivalent job duties but must have the equivalent rate of pay and benefits, and employees must be qualified for the position. The position must accommodate the intermittent leave or reduced work schedule request. Transferring to an alternative position may include altering an existing job.
- G. PDL will run concurrently with the Family and Medical Leave Act (FMLA).
- H. Employees will not be protected by PDL after the 4 months of protected leave have ended and continued leave is still needed.

Work-Related Disability Leave

Section 9.05

- A. Employees who have suffered a work-related injury or illness while performing assigned duties shall immediately notify their supervisor and Human Resources. The employee shall undergo a medical examination as the Appointing Authority or designee deems necessary as quickly as possible.
- B. The employee will be referred to an Agency-designated facility unless the employee has completed a Physician Designation Form prior to the injury. The employee will not be considered absent from duty during the time required for such an examination. Failure or refusal of the employee to undergo a medical examination shall constitute a waiver of the leave benefits in this Section.
- C. An employee who is unable to perform any work assignments because of disability incurred in the performance of assigned duties shall be entitled to disability leave benefits provided pursuant to the California Worker's Compensation Insurance Act:
 - 1. During any period of disability for which payment is not provided under worker's compensation insurance, employees shall use their accrued leave balances, which includes sick leave, vacation, personal time and compensatory time off.
 - 2. During any period of disability for which payment is provided under worker's compensation insurance, the employee may elect to integrate accrued leave balances with the worker's compensation benefits to equal an amount no greater than 100% of the employee's regular pay.
- D. All leave provisions of this Section shall terminate on the date of the employee's recovery from disability, receipt of permanent disability payment, retirement, termination from Agency employment, or death, whichever occurs first.
- E. Work-related disability leave will run concurrently with the Family and Medical Leave Act (FMLA) and the California Family Rights Act (CFRA).

Unprotected Leave

A work-related disability leave under FMLA/CFRA will become unprotected leave under the following conditions:

- 1. The 12 weeks of protected leave have ended and continued leave is still needed.
- 2. Employees do not qualify for FMLA/CFRA.

Administrative Leave

Section 9.06

The Executive Director or Appointing Authority may authorize administrative leave when circumstances necessitate the need to do so. Such leave may be paid or unpaid and usually occurs when allegations arise which could result in disciplinary action.

Paid administrative leave is granted in unusual situations. Administrative Leave with pay should only occur when an allegation of misconduct is of such a nature that the employee's presence at the workplace would be detrimental. The Executive Director, designee or Appointing Authority shall make such a determination. Such paid administrative leave will not typically extend more than ten (10) working days after an investigation is completed.

Bereavement Leave

Section 9.07

- A. Bereavement leave with pay may be authorized for a regular employee when needed, due to the death of her/his parent, spouse, child, grandparent, brother, sister, mother-in-law, father-in-law, grandchild, son-in-law, daughter-in-law, domestic partner as defined in City Ordinance 92-058, or the death of any close relative who resided with the employee at the time of death.

- B. Such absence for family death shall be limited to time which is definitely required and shall not exceed five (5) days for any one death. This time may be continuous or segmented.

Jury Duty and Witness Leave

Section 9.08

All employees shall be allowed protected time off with pay as is required in connection with Jury Duty or summons to appear as a witness in a judicial proceeding, pursuant to a subpoena or court order.

- A. Employees needing time off for the purposes of Jury Duty or Witness Leave shall provide a copy of the jury summons, court order or witness subpoena to their immediate supervisor immediately upon receiving notice thereof.
- B. Time off with pay shall be allowed as is required in connection with witness testimony or jury duty; however only upon remittance to the Agency of full jury duty fees, excluding mileage, or upon submittal of acceptable evidence that jury fees were waived.
- C. Employees shall be allowed time off from work without loss of pay if under subpoena for a proceeding in which the employee was a witness while on official Agency business; however, that payment shall be made for such time off only upon remittance to the Agency of full witness fees, other than mileage, or upon submittal of acceptable evidence that witness fees were waived.

Unprotected Leave

A protected jury duty or witness leave will turn into an unprotected leave under the following conditions:

- 1. The time required to attend jury duty or witness leave per subpoena or court order has ended, and employee does not return to work.
- 2. Employee attends court proceedings without a valid jury summons, subpoena or court order, or does not provide copies to their supervisor or Human Resources.

Military Leave

Section 9.09

In addition to the qualifying exigency and military caregiver leave protections under the federal Family Medical Leave Act (FMLA) and the California Family Rights Act (CFRA), employees are provided additional protected military leaves.

- A. Under the federal Uniformed Services Employment and Reemployment Rights Act (USERRA), employees called to active duty in the U.S. military, including the U.S. Armed Forces, Reserves, and National Guard, are provided up to five years of unpaid leave for military service. (However, a handful of exceptions exist to this five-year limit.) Employees must be allowed to continue their group health care benefits for up to 24 months during their leave.
 - 1. To be eligible for leave under USERRA, the employee must meet certain requirements, including:
 - a. Providing notice to the Agency that the leave is for military service.
 - b. Being released from the military under honorable conditions.
 - c. Applying for reinstatement within a certain period of time, depending on the length of the leave.
 - 2. Once the leave is over, employees must be reinstated to the position they would have held had they been continuously employed, along with the associated seniority, pay, benefits, and other advantages of employment.
 - 3. If the employee is not qualified for that position, the employer must make a reasonable effort to help the employee qualify—for example, by providing training.
- B. Employees in the California National Guard who are called to active duty are entitled to unpaid leave. Full-time employees must apply for reinstatement within 40 days after they are discharged.
- C. U.S. Armed Forces Reserves, National Guard, or Naval Militia employees are entitled to 17 days of unpaid leave per year for military training, drills, encampment, naval cruises, special exercises, or similar activities.
- D. Employees who are responding to an emergency operational mission of the California Wing of the Civil Air Patrol are provided at least 10 days per calendar year of unpaid Civil Air Patrol leave. Civil Air Patrol leave for a single emergency operational mission cannot exceed more than three days unless an extension of time has been granted by the governmental entity that authorized the emergency operational mission, and the leave extension is approved by the Agency.
- E. Employees who work an average of 20 hours or more per week, and are spouses of a member of the Armed Forces, National Guard, or the Reserves who are on leave from deployment, are entitled to 10 days of unpaid leave.

Formal military orders or documentation are required to take these leaves.

Domestic Violence, Sexual Assault, Stalking Leave

Section 9.10

A leave of absence under California's Domestic Violence, Sexual Assault, and Stalking Leave is a protected leave that provides reasonable and necessary unpaid leave and other reasonable accommodations to employees who are victims of domestic violence, sexual assault, or stalking to attend legal proceedings or obtain other needed relief.

Unpaid leave under this policy is available for an employee who is the victim of domestic violence, sexual assault, or stalking to attend legal proceedings or to obtain or attempt to obtain any relief necessary, including a restraining order, to ensure the employee's own health, safety or welfare, or that of the employee's child or children. Employees may also request unpaid leave for the following purposes:

1. Obtain services from a domestic violence shelter or rape crisis center.
2. Seek medical attention for injuries caused by domestic violence or sexual assault.
3. Obtain psychological counseling for the domestic violence or sexual assault.
4. Take action, such as relocation, to protect against future domestic violence or sexual assault.

To request leave under this policy, an employee should provide their supervisor (reason for leave does not have to be disclosed to supervisor) and Human Resources with as much advance notice as practicable under the circumstances. If advanced notice is not possible, the employee requesting leave under this policy should provide Human Resources one of the following certifications upon returning to work:

1. A police report showing that the employee was a victim of domestic violence or sexual assault.
2. A court order protecting the employee from the perpetrator or other evidence from the court or prosecuting attorney that the employee appeared in court.
3. Documentation from a medical professional, domestic violence or sexual assault victim advocate, health care provider, or counselor showing that the employee's absence was due to treatment for injuries from domestic violence or sexual assault.

In addition, the agency will provide reasonable accommodations to employees who are victims of domestic violence, sexual assault, or stalking for the employees' safety while at work. A reasonable accommodation may include the implementation of safety measures, such as a transfer, reassignment, modified schedule, changed work telephone, changed work station or installed lock; assistance in documenting domestic violence, sexual assault, or stalking that occurs in the workplace; an implemented safety procedure; or another adjustment to the employee's job duties and position.

Crime Victim Leave

Section 9.11

A leave of absence under California's Crime Victim Leave is a protected leave that provides unpaid leave to an eligible employee who is a victim of certain, specified felony crimes or who is an immediate family member of a victim, a registered domestic partner of a victim, or the child of a registered domestic partner of a victim to attend and participate in judicial proceedings related to the crime.

Covered felonies include:

- A violent felony, as defined in subdivision (c) of §667.5 of the Penal Code.
- A serious felony, as defined in subdivision (c) of §1192.7 of the Penal Code.
- A felony provision of law proscribing theft or embezzlement.

Employees requesting leave under this policy are required to submit appropriate documentation, including a copy of the notice of the scheduled proceeding, subpoena, or other court orders prior to the leave or as soon as practicable.

Unprotected Leave

Employees are no longer protected by Crime Victim Leave under the following conditions:

- The judicial proceedings have ended.

Bone Marrow and Organ Donor Leave

Section 9.12

A leave of absence under California's Bone Marrow and Organ Donor Leave is a protected leave that provides eligible employees up to 30 days in a 12-month period of paid leave to donate an organ to another person and up to five days in a 12-month period of paid leave to donate bone marrow to another person. An additional unpaid leave of up to 30 business days in a 12-month period may be granted to an employee donating an organ.

To be eligible, employees must have been employed with the company for 90 days immediately preceding the commencement of leave and provide a written certification that the employee is a bone marrow or organ donor and that the procedure is medically necessary.

Unprotected Leave

Employees are no longer protected by Bone Marrow and Organ Donor Leave under the following conditions:

- The 30 days or 5 days have ended.

School Activities Leave

Section 9.13

A leave of absence under California's School Activity Leave is a protected leave that provides up to 40 hours of unpaid leave each year for employees children's school activities.

Employees may take leave to:

- participate in activities of the school or licensed child care provider of a child;
- find, enroll, or re-enroll a child in a school or with a licensed child care provider; or
- address a "child care provider or school emergency."

Only 8 of the 40 hours may be used to find, enroll, or re-enroll a child.

A "child care provider or school emergency" means that an employee's child is unable to remain in a school or with a child care provider because:

- The school or child care provider has requested that they be picked up;
- the child is exhibiting discipline or behavioral problems;
- there is a school closure or unexpected unavailability of a child care provider, or
- there is a natural disaster.

To qualify for school activities leave, a person must be a "parent" and have a child of the age to attend grades K through 12.

A "parent" under the law includes a:

- Parent
- Legal guardian
- Stepparent
- Foster parent
- Grandparent
- Person standing *in loco parentis* to the child.

The Agency requires proof that the employee took time off for school activity-related purposes.

Unprotected Leave

A protected leave under this policy will turn into an unprotected leave under the following conditions:

- The employee cannot prove the need to use Schools Activity Leave.
- The time off required has ended.

Emergency Responder Leave

Section 9.14

A leave under California's Emergency Responder Leave is a protected leave that provides unpaid leave to eligible employees who are volunteer firefighters, reserve peace officers, or emergency rescue personnel so that such employees may respond to emergency duty. Additionally, employees are provided up to 14 days per calendar year of unpaid leave to engage in scheduled fire, law enforcement, or emergency rescue training.

Employees requesting leave under this policy should comply with the following requirements:

1. Notify the Agency of their status as soon as practicable after hire or upon becoming designated as a volunteer firefighter, reserve peace officer or emergency rescue personnel.
2. When called to emergency service or scheduled training, an employee should notify the Agency as soon as practicable of the need for leave under this policy, provide information regarding the start and end dates for the requested leave, and provide proof.
3. When returning from leave under this policy, the employee should provide the Agency with appropriate written documentation confirming that during the leave, the employee was actively engaged in responding to an emergency or participating in scheduled training.

Unprotected Leave

An Emergency Responder Leave will become an unprotected leave under the following conditions:

- The time needed has ended.

Leave of Absence With or Without Pay

Section 9.15

A leave of absence with or without pay will allow a regular employee to be absent from duty for a specified period of time and for a specified purpose per statutory requirements and the applicable collective bargaining agreement.

Leave of Absence Duration

A leave may be granted for a period not to exceed six (6) months for the following purposes:

1. Illness or injury, including pregnancy-related disability and family care (must exhaust protected leave);
2. Education or training which would benefit the Agency;
3. Parental leave pursuant to Agency policy, or;
4. Other personal reasons approved by the Executive Director (or the Appointing Authority).

In unusual and special circumstances, an employee may be granted up to a six (6) month extension of a leave of absence without pay for a total of up to twelve (12) months. Such extension shall be based on unusual and special circumstances and subject to the Executive Director's approval (or the Appointing Authority).

The Executive Director (or the Appointing Authority) may revoke a leave of absence if the reason for granting the leave was misrepresented or has ceased to exist.

If an employee is on an approved leave of absence of six (6) months or less, necessitated by pregnancy, illness, or disability, as verified by medical certification, the employee shall be eligible to return to their position after such leave unless statutory provisions provide greater protection.

In all other cases, if a leave of absence necessitates a replacement with a regular employee, the employee on leave shall not be returned to the Agency unless a position in the employee's classification is open when they report for work. The employee shall be advised if the position is to be filled permanently.

If there is not such a vacancy in the employee's current classification at the time of request to return, they shall have preferential hiring rights for the first in either the employee's current classification or another classification in which they held regular status and which is either open at the time they return from the leave or which becomes open at a later date. Such preferential hiring rights cease when either they are re-employed in their current classification or one calendar year after termination of the leave, whichever occurs first.

Recall rights from a leave without pay shall not supersede the recall rights of laid-off employees. Disputes on preferential hiring rights to vacant positions shall be resolved first by classification seniority. Ties in classification seniority shall be determined by Agency seniority. Ties in Agency seniority will be determined by lot.

If the leave of absence without pay necessitates a temporary replacement, the employee on leave shall be returned to the position they vacated upon their return to work.

Employees wishing to return from a leave of absence before the original date of return shall notify their supervisor of their desire to return early, and they shall work out a mutually agreeable return date. A medical certification will be required if the employee is off work due to illness or injury.

Employees who are veterans and/or members of the National Guard shall be entitled to leaves of absence to which they are entitled pursuant to the Military and Veterans Code.

An employee failing to return from a leave of absence on the specified return date shall be considered to have resigned from their employment with the Agency.

See Labor Agreements for more information.

Wage Replacement During Leave

Section 9.15

No employee shall be granted a leave of absence without pay for time off, which can be covered by the employee's accrued vacation, compensatory time off, personal leave, or sick leave when applicable. This does not apply to denying paid leave for an employee with attendance issues, tardiness, or failure to follow call-in procedures when not reporting for work. Employees may also apply for State Disability Insurance benefits, State Paid Family Leave, Agency-Paid Parental Leave and Catastrophic Leave.

Accrued sick leave, when applicable, vacation leave, compensatory time off, personal leave, and management leave must be used prior to taking leave without pay except as approved by the Executive Director (or the Appointing Authority). Employees may not intersperse paid leave accruals with unpaid leave to accrue benefits or qualify for Agency insurance contributions.

State Disability Insurance (SDI)

SDI provides partial wage replacement for up to 52 weeks for employees who are unable to work due to their own nonwork-related illness or injury, pregnancy, or childbirth. This program is funded by employee payroll deductions. If eligible, employees can receive SDI benefits, which is administered by California's Employment Development Department (EDD). SDI pays 60-70% of employee's regular wages.

State Disability Insurance is wage replacement and does not provide employees with a right to take a medical leave of absence.

Paid Family Leave (PFL)

PFL provides partial wage replacement for employees in California for up to eight weeks who need to take time off from work for the following reasons:

- To care for a parent, parent-in-law, child, spouse, registered domestic partner, grandparent, grandchild, or sibling who is seriously ill.
- To bond with employee's newborn, foster child, newly adopted child: or
- For a qualifying exigency related to the covered active duty or call to covered active duty of your spouse, registered domestic partner, parent, or child in the Armed Forces of the United States.

If eligible, employees can receive PFL benefits administered by California's Employment Development Department (EDD). PFL pays employees 60-70% of employee's regular wages.

Paid Family Leave is wage replacement and does not provide employees a right to take a family leave.

Agency-Paid Parental Leave

Employees may be eligible to take parental leave to provide care to a newborn or newly adopted child, facilitate parental bonding and family adjustment, and to provide time to locate suitable long-term child care arrangements.

Regular Employees

1. An "eligible employee" is a full-time or part-time regular employee who has completed at least 2,080 hours of service from the most recent date of hire preceding either:
 - a. the birth of a child who resides with the employee and for whom the employee has physical and legal custody, or
 - b. the adoption of a child under age four (4) who resides with the employee and for whom the employee has physical and legal custody. Court appointed legal guardians and foster parents do not qualify under this policy.

“Physical and legal custody” means that the child resides with and is under the supervision of the employee, who has the right and responsibility to make decisions relating to the health, education and welfare of the child.

2. "Parental leave" is any leave, whether paid or unpaid, taken by an employee within one calendar year following the birth or adoption of a child who resides with the employee and for whom the employee has physical and legal custody.
3. An eligible employee is entitled to parental leave only once for each birth or adoption regardless of the number of children involved (e.g., twins) or a change in employment status such as from part-time to full-time. The eligible employee shall not be entitled to an additional leave due to the same birth or adoption.
4. An eligible full-time employee shall be eligible for a paid parental leave of up to one hundred-sixty (160) hours of continuous paid time off. An eligible part-time employee shall be eligible for up to eighty (80) hours of continuous paid time off during the parental leave.
5. For the initial request for parental leave, the eligible employee shall have the right to combine unpaid leave and Agency-paid parental leave with other paid leave credits. Paid leave credits are defined as accrued and available hours of sick leave, vacation, holiday, and compensatory time off (CTO).
6. Parental leave shall not begin prior to the date of the child's birth or adoption. Parental leave shall be completed within twelve (12) months immediately following the date of the child's birth or adoption.
7. A paid or unpaid leave of absence outside of parental leave for medically verified pregnancy complications may be requested pursuant to the Agreement or Personnel Policies, as applicable.

Employees who are not "eligible employees" as defined above may utilize accrued and available hours of vacation, compensatory time off (CTO), holiday, sick leave, and/or unpaid leave during the parental leave.

Procedures - All Employees

1. Pay Status While on Parental Leave:

- a. Unpaid parental leave and paid parental leave including sick leave, vacation, compensatory time off (CTO), and holiday time shall be utilized as follows:
 - i. In the event an employee elects to utilize paid leave at the beginning of parental leave and thereafter elects either to interrupt the paid leave or exhausts paid leave credits prior to the end of the leave, such employee will be carried on non-paid status for the remainder of the authorized leave period.
 - ii. In the event an employee begins the parental leave on unpaid leave status, such employee may utilize paid leave credits at a later date during the authorized leave. However, paid leave credits once started are to be used continuously at the regularly scheduled rate, until all such credits are exhausted, or until the employee either returns to work or voluntarily interrupts the paid leave and elects to continue on non-paid status for the balance of the authorized leave.
 - iii. The employee shall not be entitled to selectively intersperse paid leave credits with unpaid leave for the purpose of accruing benefits or qualifying for Agency insurance contributions.
 - iv. Parental leave may be integrated with Paid Family Leave (PFL) pursuant to the provisions of this Section.
 - v. Paid parental leave shall be considered time worked for eligibility for recognized holidays occurring during the leave

2. Leave Request Processing

An employee who wishes to apply for parental leave shall complete a Parental Leave Request and submit the request in advance to the Appointing Authority or designee, with supporting documentation. The completed request must be submitted at least four (4) weeks prior to the beginning date of the leave. The Executive Director or designee may waive the four-(4) week requirement.

- a. The Executive Director or designee shall process Leave Requests in accordance with the Agreement and this Policy. Leave applicants shall be notified by their supervisor regarding leave approval, within two (2) weeks from the date the leave request was submitted.

3. Extension of Parental Leave

- a. In the event the employee desires an extension of Parental Leave beyond the originally approved period within the maximum four (4) month parental leave period limits, the employee must provide the Appointing Authority or designee with a Parental Leave Extension Request. Leave extensions and return rights for leaves exceeding the four (4) months parental leave period shall be governed by Agreement or Personnel Policy, as applicable. The return rights provided under this policy shall not apply to any leave of absence exceeding four (4) months.

4. Extension of Probationary Period

- a. In the event parental leave time exceeds thirty (30) calendar days, the

probationary period shall be extended by the full period of parental leave, including both the paid and unpaid portions.

Catastrophic Leave

- A. Regular employees who are incapacitated and unable to work due to a prolonged non-industrial catastrophic illness or injury may be eligible to receive benefits under the Catastrophic Leave Policy.
- B. Regular employees shall be entitled to participate in the Agency Catastrophic Leave Policy with the following provisions:
 - 1. An employee may donate to or receive from an unrepresented or represented employee annual leave, vacation, holiday, compensating time off (CTO), or management leave hours. Participation in this plan shall be voluntary. Sick leave hours may not be donated under this provision.
 - 2. All donations shall be made and accepted in writing using a form designated by the Agency.
 - 3. The donation in any category must be at least eight (8) hours and in whole-hour increments.
 - 4. The hours donated shall be converted to the receiving employee's hourly rate and credited to the receiving employee's sick leave balance sufficient to keep the employee on full pay and benefits for one pay period at a time.
 - 5. Hours to be donated shall be debited from the donor's leave balance effective with the pay period of the donation and are irrevocable. The hours shall be credited to the recipient's sick leave balance pursuant to (4) above.
 - 6. Management employees may only receive donations from management employees. A non-management employee may not receive donations from a subordinate employee where a direct supervisor/subordinate relationship exists. Any exception to this paragraph must be approved by the Executive Director.
 - 7. To be eligible to use donations, an employee must:
 - a. Be incapacitated and unable to work due to a prolonged non-industrial illness or injury, which is estimated to last for at least thirty (30) calendar days;
 - b. Have exhausted all usable leave balances, including sick leave;
 - c. Be on an approved leave of absence.
 - d. All donated hours must be used on a continuous and uninterrupted basis and will be paid at the rate of pay and normal work schedule of the recipient, along with all usable hours accrued, until the earliest of the following events occurs
 - e. All leave balances, including both donated and accrued leave, are exhausted; or
 - f. The employee returns to work at their normal work schedule; or
 - g. The employee's employment terminates.

8. Donations received while a recipient is still utilizing previously donated and related accrued leave time may be used immediately thereafter.

Hours donated subsequently to exhausting all donated hours shall be accumulated and utilized along with related accrued leave hours in amounts equal to the recipient's normal bi-weekly work hours.

9. Used donated leave time shall count toward the application of Agency service and benefits in the same manner as when the employee is on sick leave.
10. Used donated leave time shall be subject to the recipient's normal payroll deductions.

C. For the interpretation of this policy, the following words and terms shall be construed as stated:

Catastrophic - A medically certified condition in which the employee is incapacitated and unable to work due to a prolonged non-industrial illness or injury, which is estimated to last for at least thirty (30) calendar days.

Donated Hours - Pledged vacation, holiday credit, management leave, and CTO hours, which have been donated for use by the recipient on the Agency designated form.

Usable Hours - Vacation, holiday credit, management leave, and compensating time off hours that have been credited to an employee and are available for use by the employee.

Procedures for donating hours:

1. Pledges for donated hours will be made by the donating employee on an Agency provided form and forwarded to the Fiscal Department.
2. All donated hours will be transferred for use by the recipient at the end of the pay period during which the donation form is processed. Donated hours will be used in the order received.

The Fiscal Department will confirm with Human Resources that the recipient employee is qualified to receive donation pledges.

D. Extension of Probationary Period:

1. The probationary period shall be extended by the full period of the approved leave of absence, including periods of paid catastrophic leave.

Sick Leave Accrual and Usage

Section 9.17

Sick leave accruals shall be earned by regular and probationary employees based on the equivalent of full-time service from the date of appointment.

A. Sick leave hours shall accrue to and be useable by the employee upon completion of the end of the day on the last day of the bi-weekly pay period in which it is earned. Sick leave requires the supervisor's approval and may be denied as provided below. Unapproved sick leave is an absence without leave and shall be unpaid. Unexcused sick leave is sick leave for a purpose not approved herein, or in a manner or amount which exceeds the standards defined below.

B. Sick leave is accrued as follows:

1. 40-hour work week regular employees: sick leave hours accrue on the basis of four (4) hours, per bi-weekly pay period of service, or thirteen (13) days annually, and may be accumulated without limitation.
2. Less than 40-hour work week regular employees: sick leave hours shall accrue in proportion to their regular work week hours compared with the forty (40) hour work week so that 4-hour employees earn two (2) hours per bi-weekly pay period or 6.5 days annually; 6-hour employees earn three (3) hours per bi-weekly pay period or 9.75 days annually; and 7-hour employees earn three and one-half (3½) hours per biweekly pay period or 11.375 days annually.

C. A regular or probationary employee may utilize their accumulated sick leave when unable to perform their work duties because of the following:

1. Physical or mental illness
2. On or off-the-job injury, including victims of domestic violence, stalking and sexual abuse as defined by the Kin Care Law
3. Necessary medical or dental care
4. Exposure to or having an active contagious disease such that the health of employees, or the public would be endangered by the employee being at work
5. Illness, serious medical treatment, or operation in the employee's family, including parent, parent-in-law, child, spouse, registered domestic partner, grandparent, grandchild, sibling, or designated person. *Designated person is defined as a person identified by the employee at the time the employee requests paid sick days permitted to one designated person per 12-month period.
6. Pregnancy and childbirth

An employee may be required to present a certificate of the attending physician or medical practitioner to substantiate the need for and use of sick leave as allowed by law. The Agency may also require a fitness for duty examination for cause as determined by observation of the employee's behavior or disclosure of their medical condition. The Agency may require a fitness for duty examination upon release to return to work from absence for a serious illness, injury, or exposure to a contagious disease.

D. The Executive Director, designee, or Appointing Authority may place an employee on

involuntary sick leave when recommended by a competent medical authority and when the employee's presence at work endangers the health or work performance of the employee, other employees, the Head Start children under their supervision, or Agency clients.

- E. Employees using excessive sick leave shall be notified of the concern by their direct supervisor as soon as practical and counseled regarding the use and abuse of sick leave. After initial verbal counseling, upon another occurrence the employee shall be notified in writing of the attendance requirements and advised that discipline may follow if the behavior is not corrected. Failure to report to work regularly and to follow procedures for calling out sick may be grounds for disciplinary action.

Excessive sick leave is defined as using sick leave in excess of that protected by law as follows:

1. The employee has a rate of utilization of sick leave in excess of what is protected by law, which is in excess of fifty percent (50%) of the yearly accrual. The employee will be notified of this utilization threshold when they reach forty percent (40%) usage, if possible.
2. The employee has a pattern of sick leave use which causes concern about its legitimacy, including time associated with weekends, holidays or other leave, and/or after refused time off for that period.
3. Supervisors/managers shall monitor the sick leave use by all employees under their supervisor or direction, including using sick leave covered by FMLA, Kin Care and other legally protected sick leave.

- F. If an employee in a class designated as Management in the annual salary classification plan dies while employed by the Agency, whether or not the death is job-related, the beneficiary shall be paid the monetary value of all sick leave accrued by the employee at the time of death.

- G. Unused sick leave at the time of retirement shall be eligible for conversion to service credit as the retirement plan allows.

Paid Sick Leave for Temporary Staff

Section 9.18

Sick leave credits shall be earned by temporary staff that are paid through the SETA payroll system in accordance with the California Paid Sick Leave requirements.

- A. Sick leave credit shall accrue to the employee upon completion of the regular work assignment on the last day of the bi-weekly pay period in which it is earned.
- B. Sick leave is accrued as follows:
 - a. Sick leave shall accrue on the basis of 1 hour per 30 hours worked and may be accumulated up to 48 hours or 6 days.
 - b. Temporary staff, who have completed at least 90 days of employment, may utilize their accumulated sick leave when unable to perform their work duties because of the following:
 - i. Physical or mental illness
 - ii. On or off-the-job injury, including victims of domestic violence, stalking, and sexual abuse as defined by the Kin Care Law
 - iii. Necessary medical or dental care
 - iv. Exposure to or having an active contagious disease such that the health of employees or the public would be endangered by the employee being at work.
 - v. Illness, serious medical treatment or operation in the employee's family, including parent, parent-in-law, child, spouse, registered domestic partner, grandparent, grandchild, sibling, or designated person. *Designated person is defined as a person identified by the employee at the time the employee requests paid sick days permitted to one designated person per 12-month period.
 - vi. Pregnancy and childbirth

The Agency may also require a fitness for duty examination or release upon return from absence for a serious illness or exposure to a contagious disease.

- C. Employees may use up to 24 hours of sick leave in a 12-month period. To utilize the benefits, the Temporary staff member must request payment of sick leave hours, which can only be used when the Temporary staff member was scheduled to work or was working. The Agency reserves the right to request documentation regarding the need to utilize sick leave.
 - a. Retaliation or discrimination against an employee who requests paid sick days, uses paid sick days, or both are prohibited.
 - b. Accrued Sick leave benefits will not be cashed out upon termination. However, if a Temporary staff member returns within a year of terminating their employment, their previous balance will be restored.

In the event that any of the terms or provisions of this policy are declared invalid or unenforceable by any Court of competent jurisdiction or any Federal or State Government Agency having jurisdiction over the subject matter of this Agreement, the remaining terms and provisions that are not affected thereby shall remain in full force and effect.

In the event that any of the terms or provisions of this policy are altered due to changes in Local, State, or Federal law, those changes will take effect in lieu of the terms outlined in this policy, but the remaining terms and provisions that are not affected thereby shall remain in full force and effect.

Vacation

Section 9.19

All regular and probationary employees who have completed six months of service with the Agency shall be eligible to use accrued vacation.

- A. Vacation Leave shall accrue at the rate shown below:
 - 1. 4.0 hours per bi-weekly pay period through three (3) years of service;
 - 2. 5.5 hours per bi-weekly pay period beginning with four (4) and through ten (10) years of service;
 - 3. 6.6 hours per bi-weekly pay period beginning with eleven (11) and through fifteen (15) years of services;
 - 4. 7.1 hours per bi-weekly pay period after fifteen (15) years of service.
- B. Prior to taking accrued vacation time, each employee shall obtain approval from their immediate supervisor, manager, or chief, consistent with the requirements of the department.
- C. With the approval of the Executive Director or designee, twice per fiscal year, employees may be paid on a regular payday for a maximum total of both occurrences of one hundred (100) hours of accrued vacation in lieu of paid time off. Such payments shall be requested in writing prior to the date on which such payment is to be made. A payment under this provision cannot cash out within 12 contiguous months. Employees shall not be eligible to cash out annual leave prior to completing six calendar months of service.
- D. If an employee's request for vacation is denied and the action results in the employee having more than two times their annual vacation entitlement, the employee will automatically be paid for the days in excess of their accrued entitlement.
- E. An employee who separates or is terminated from Agency Service or who takes military leave in excess of one hundred eighty (180) days shall be paid the monetary value of their vacation.
- F. Payment to an employee who separates or terminates shall be made on the last work day of actual duty or as soon thereafter as is practical.
- G. An employee may have any vacation leave taken charged as sick leave, if:
 - 1. The incident(s) would normally qualify under the sick leave policy; and
 - 2. The employee notifies the Executive Director or designee immediately upon their return; and
 - 3. The employee provides the documentation required to substantiate the need

and use of sick leave.

- H. Temporary and regular employees occupying positions that are not twelve (12) months per year shall not accrue vacation leave benefits.
- I. Unless otherwise excluded, part-time regular employees shall receive pro rata accruals based upon the ratio of how scheduled work hours compare to forty (40) hours during the work week.
- J. Vacation leave earned but not taken may accrue to a maximum of four hundred eighty (480) hours.

Holidays

Section 9.20

All Agency regular and probationary employees are eligible for the benefits listed below. Employees holding temporary, on-call, extra-help or intern positions are not eligible.

- A. All regular and probationary employees of the Agency shall be entitled to holidays as specified below.
- B. All state holidays proclaimed by the Governor, other than Thanksgiving Day, shall not be Agency holidays unless affirmatively made so by resolution of the County Board of Supervisors for County employees.
- C. Such holidays include:

New Year's Day	Labor Day
Martin Luther King's Day	Veteran's Day
President's Day	Thanksgiving Day
Cesar Chavez Day	Day after Thanksgiving Day
Memorial Day	Christmas Eve Day (4 hours)
Juneteenth	Christmas Day
Independence Day	New Year's Eve Day (4 hours)
- D. When one of these holidays falls on a Saturday, employees shall be given the preceding Friday off. When one of these holidays falls on a Sunday, employees shall be given the following Monday off.
- E. When an employee is required to work on a recognized holiday, such work time shall be compensated as set forth in Section 8 of these Policies and Procedures.
- F. Employees shall work or be on paid leave the entire regularly scheduled shift before and after the holiday to be eligible for holiday pay.
- G. When an employee gives adequate advance notice, the Agency will make reasonable accommodations, by rescheduling working hours or releasing them from work without pay, to allow the employee to observe the Sabbath or other special religious holidays, except under circumstances when such accommodations would unduly interfere with Agency operations. Such release time may be charged to vacation or compensatory time off if requested by the employee.

Personal and Management Leave

Section 9.21

- A. Effective pay period 21 each year, each represented full-time employee shall be credited with thirty-two (32) hours of personal leave time, and less than year-round and part-time regular employees shall be credited with a proration of thirty-two hours based on the ratio of their regularly scheduled work weeks to one year, or work week to forty (40) hours.
1. Employees hired after October 1 shall be credited on the first of the following month with a proration of the personal leave hours based on the number of pay periods remaining prior to pay period 20 of the following year.
 2. Personal leave requests shall be submitted to the supervisor and approved prior to use of the time.
 3. Personal leave time may be used in increments of less than a full day.
 4. Personal leave time which is not used by pay period 20 each year may not be cashed out. If the employee was unable to use such leave due to unforeseen circumstances such as, but not limited to, leave of absence, prolonged illness or injury, and/or scheduling problems created by business needs, the personal leave balance may be carried over.
- B. Each confidential employee shall receive the equivalent of forty-eight (48) hours of personal leave July 1 of each fiscal year.
1. Personal leave time not taken during the fiscal year may not be carried over to the next fiscal year. All personal leave time not used by the end of the fiscal year shall be paid to the employee in cash at the employee's straight time base hourly rate in effect on the last pay day in June of that fiscal year. Temporary employees are not eligible for paid personal leave.
 2. Employees who become eligible for the personal leave time benefit after July 1 of any fiscal year shall receive a pro rata based upon the number of full calendar months remaining in that fiscal year.
 3. Part-time employees shall accrue personal leave credit on a pro-rata basis.
 4. The scheduling of personal leave time off must be approved in advance by the immediate supervisor.
- C. Each management employee shall receive the equivalent of seventy-two (72) hours of management leave per year, credited July 1 of each fiscal year. Employees appointed after July 1 of a fiscal year shall be entitled to a pro-rata share of management leave based upon the number of full months remaining in that fiscal year. Management leave not taken during the fiscal year may not be carried over to the next fiscal year.

Management leave not used before the end of the fiscal year, shall be cashed out the following July.

- 1.
- 2.
- 3.
- 4.
- 5.

- 1.
- 2.
- 3.

Lactation Accommodation

Section 11.21

The Agency recognizes lactating employees' rights to request lactation accommodation, and accommodates lactating employees by providing a reasonable amount of break time and a suitable lactation location to any employee who desires to express breast milk for their infant child, subject to any exemption allowed under applicable law.

If possible, the break time should run concurrently with the employee's normally scheduled break time. Any break time to express breast milk that does not run concurrently with the employee's normally scheduled break time is unpaid.

The lactation location will be private (shielded from view and free from intrusion from co-workers and the public) and located close to employee's work area. The location will be safe, clean and free of toxic or hazardous materials; have a surface to place a breast pump and other personal items; have a place to sit; and have access to electricity or alternative devices (such as extension cords or charging stations) allowing employees to operate an electric or battery-powered breast pump. The Agency will also provide access to a sink with running water and a refrigerator suitable for storing milk in close proximity to employee's workspace. If a refrigerator cannot be provided, the Agency will provide another cooling device suitable for storing milk, such as an Agency-provided cooler. The lactation location will not be a bathroom or restroom. The room or location may include an employee's private office if it otherwise meets the requirements of the lactation space. Multi-purpose rooms may be used as lactation space if they satisfy the requirements for space; however, use of the room for lactation takes priority over other uses for the time it is in use for lactation purposes.

Employees who desire lactation accommodations should contact Human Resources to request accommodations. An employee's request may be provided orally, by email, or in writing, and need not be submitted on a specific form. The Agency will engage in an interactive process with employees to determine when and where lactation breaks will occur. If the Agency cannot provide break time or a location that complies with this policy, Human Resources will provide a written response to the request.

The Agency will not tolerate discrimination or retaliation against employees who exercise their rights to lactation accommodation, including those who request time to express milk at work and/or who lodge a complaint related to the right to lactation accommodation. If employees believe they have been denied reasonable break time or adequate space to express milk, or have been otherwise denied their rights related to lactation accommodation, they have the right to file a complaint with the Labor Commissioner.

Personally Identifiable Information (PII) *Section 11.22*

Purpose:

The Privacy Act of 1974 safeguards individuals against invasions of privacy when sensitive information is required for official use. SETA may have large quantities of sensitive information relating to the organization, staff, subrecipients, partner organizations, and individual program participants by virtue of its status as a steward of federal funding. This information is generally found in personnel files, participant data sets, performance reports, program evaluations, contract files, and other sources.

Personally Identifiable Information (PII) is defined in the Federal Uniform Guidance (*2 CFR 200.1 "Personally Identifiable Information (PII)"*) as:

Information that can be used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual. Some information that is considered to be PII is available in public sources such as telephone books, public Web sites, and university listings. This type of information is considered to be Public PII and includes, for example, first and last name, address, work telephone number, email address, home telephone number, and general educational credentials. The definition of PII is not anchored to any single category of information or technology. Rather, it requires a case-by-case assessment of the specific risk that an individual can be identified. Non-PII can become PII whenever additional information is made publicly available, in any medium and from any source, that, when combined with other available information, could be used to identify an individual.

Policy:

SETA's policy is to make every reasonable effort to safeguard confidential information, including personally identifiable information (PII). All staff shall strictly adhere to state and federal regulations pertaining to privacy, confidentiality, and record security.

Consistent with U.S. Department of Labor guidelines, this policy advises all staff who have access to sensitive/confidential/proprietary/private data, of the confidential nature of the information, the safeguards required to protect the information, and that there are civil and criminal sanctions for noncompliance with such safeguards that are contained in federal and state laws.

Safeguards:

It is expected that any employee who has access to sensitive/confidential/proprietary/private data will utilize the information solely for approved business-related purposes. All PII must be secured and protected at all times.

SETA requires that all sensitive information:

- Is collected, used, and stored in a manner that ensures it will not be accessible to anyone

not authorized to access it;

- Is not collected unless needed for the provision of employment, some service or to determine eligibility for a program;
- Is not used for any purpose other than that in which it was intended, unless the subject of the information (if the subject is an adult), or a parent of the subject (if the subject is a minor or dependent), provides consent for the information to be shared;
- Can be released to the subject of the information upon his or her request;
- Is not accessible to anyone other than those authorized to access it (including agents of oversight and regulatory entities, and in cases in which the information has been subpoenaed, parties to the legal matter); and
- Is published only in aggregate form, preventing readers from being able to identify, or reasonably infer the identity of, any individual subject.

In addition to the minimum requirements outlined above, SETA staff shall:

- Utilize appropriate computer, network, and internet security controls;
- Dispose of confidential information and PII in a safe and secure manner; and

In addition, any medical or disability-related information obtained about a particular individual, including information that could lead to the disclosure of a disability, must be collected on separate forms. All such information, whether in hard copy, electronic, or both, must be maintained in one or more separate files, apart from any other information about the individual, and treated as confidential.

Staff shall ensure personnel files, case files, and related records are not left unattended in work stations located in unsecured or public areas. Confidential information must be stored in a locked cabinet or secured area when not in use or under the direct control of authorized personnel. Whether these files are electronic or hard copy, they must be locked or otherwise secured (i.e., through password protection).

Instructions for Reporting Lost, Compromised, or Potentially Compromised PII:

When an employee becomes aware or suspects that PII has been lost, compromised, or potentially compromised he/she shall provide immediate notification of the incident to SETA's Equal Opportunity Officer (EOO). The employee shall provide complete and accurate information including:

- A description of the loss, compromise, or potential compromise
- A description of the safeguards used (locked cabinet, redacted PII, password protection, etc.)
- Whether the employee has contacted or been contacted by any external organization (law enforcement, media, etc.)

Additional PII guidelines for Workforce specific programs can be found in the Directive dated September 6, 2023.

The misuse or mishandling of PII could result in discipline from the Agency. Additionally, the employee may be liable to civil and criminal sanctions for improper disclosure.

ITEM III-C – ACTION

TIMED ITEM 9:00 A.M. AND PUBLIC HEARING
APPROVAL OF SETA LONGEVITY COMPENSATION POLICY

BACKGROUND

During the Governing Board Meeting on June 1, 2023, Agency staff was tasked to work with AFSCME to discuss incentive compensation options. The Labor Management Committee (LMC) consisting of Agency staff and AFSCME representatives, met on June 22, 2023, August 11, 2023, and September 13, 2023. This policy is a direct outcome of those meetings.

The purpose of this policy shall be to retain and reward qualified employees for their continuing employment with SETA, as well as to enhance the total benefits package for recruitment purposes. While this is intended to be an ongoing benefit, it will be subject to funding capacity and grant approval processes.

In accordance with federal guidelines, the LMC came to a resolution as to what an effective and sustainable longevity compensation policy would look like in order to reward employees who have remained in service with SETA for a minimum of five (5) years. The incentive would begin with a \$500 incentive on the pay period following the five (5) year anniversary. Every subsequent five (5) year anniversary would see a \$250 increase to that incentive amount. See chart below.

Milestone (years)	Amount
5	\$500
10	\$750
15	\$1,000
20	\$1,250
25	\$1,500
30	\$1,750
35	\$2,000
40	\$2,250

The initial implementation of this plan will be effective December 1, 2023, and will compensate current employees at the appropriate milestone as described above. Thereafter it will be paid in the pay period immediately following the anniversary date of the employee at the new milestone level only.

The initial cost on December 1, 2023 is estimated to be \$298,500. The continued annual cost to the agency is expected to be approximately \$85,000.

ITEM III-C – ACTION (continued)
Page 2

The period for eligibility shall be based on the initial hire date to the Agency and calculated using the anniversary date thereafter.

The Governing Board is scheduled to take action on the policy on November 2, 2023.

RECOMMENDATION:

Open a public hearing, take public testimony, and take action to close the public hearing and approve the Longevity Compensation Policy and update Personnel Policies and Procedures Section 8 (Compensation).

ACTION: Moved _____ Seconded _____

VOTE: Aye _____ Nay _____ Abstain _____

Section 8: Compensation Plan

Longevity Compensation

Section 8.08

The Agency will implement a Longevity Compensation program consistent with the ongoing need to retain qualified employees and reward them for continuing employment with SETA. It is being implemented consistent with applicable federal regulations. While it is intended as an ongoing benefit, just as all Agency budget line items, it is subject to funding capacity and grant approval processes.

The initial implementation of the Plan will be effective December 1, 2023 and will compensate current employees at the appropriate milestone as described below. Thereafter it will be paid in the pay period immediately following the anniversary date of the employee at the new milestone level only.

An employee shall be eligible to receive Longevity Compensation upon reaching five (5) years of Agency service, and each 5-year milestone thereafter. The period for eligibility shall be based on the initial hire date to the Agency and calculated using the anniversary date thereafter.

The Longevity Compensation shall be as follows:

- \$500.00 at five (5) years of service;
- \$750.00 at ten (10) years of service;
- \$1,000.00 at fifteen (15) years of service;
- \$1,250.00 at twenty (20) years of service;
- \$1,500.00 at twenty-five (25) years of service;
- \$1,750.00 at thirty (30) years of service;
- \$2,000.00 at thirty-five (35) years of service; and
- \$2,250.00 at forty (40) years of service.

ITEM III-D – ACTION

APPROVAL TO SUBMIT A REQUEST TO
CARRY OVER FUNDS FROM PROGRAM YEAR 2022-2023 TO PROGRAM
YEAR 2023-2024 FOR HEAD START AND EARLY HEAD START/CCP

BACKGROUND:

The Sacramento Employment and Training Agency (SETA) is requesting a Head Start/Early Head Start/CCP Carryover Request to Program Year (PY) 2023-2024. Specifically,

- The Carryover Request will extend use of the funds for unfinished projects/purchases from PY 2022-2023 to PY 2023-24.

The total amount of the Carryover request is \$10,136,494 from 2022-2023 to 2023-24. Of the total carryover amount, Head Start Basic is \$8,046,853, Head Start T&TA is \$46,989, Early Head Start/CCP Basic is \$1,846,825 and Early Head Start T&TA is \$195,827.

HS Basic – \$1,972,423
EHS Basic – \$1,626,774

SETA is requesting a carryover request of Head Start and Early Head Start/CCP Basic funds, in the amount of \$3,599,197 to purchase and complete unfinished equipment related items (Four HVACS, Four Play Structures, Shade Structure at Walnut Grove and Office Pod at Northview) complete unfinished building deferred maintenance projects and purchase classroom supplies/materials/furniture that have been delayed due to supply chain issues as a result of the pandemic from program year 2022-2023. The request is to allow for flexibility in spending the funds for an additional 12 months. Funds will be spent by SETA and the partner/delegate agencies in the following ways:

SETA Operated Program (Head Start - \$1,972,423 & Early Head Start - \$1,626,774)

Equipment – Head Start - \$1,089,000

The carryover funds will be used to purchase and install four (4) HVAC units (\$374,000), install a shade structure at Walnut Grove (\$55,000), purchase and install an office pod unit at Northview ELC (\$60,000), and purchase and install of play structures at Elkhorn, Marina Vista, Cap City and Hopkins Park (600,000).

Early Head Start - \$500,000

The carryover funds will be used to purchase and install a shade structure at Galt (\$50,000) and purchase and install of play structures at Illa Collins, Marina Vista and Hillsdale (450,000).

Supplies – Early Head Start - \$150,358

The carryover funds will be used to purchase various indoor and outdoor classroom supplies, computers and docking stations; help furnish and replace old and worn chairs

ITEM III-D – ACTION (continued)

Page 2

and furniture at parent areas and welcome spaces at centers; and purchase replacement supplies and materials for the Home-Based socialization room.

Construction – Head Start - \$129,200

The funds will be used to complete the parking lot renovations at Northview ELC. The parking lot will be completely redone and ensured that it will be ADA compliant.

Other – Head Start - \$754,223 & Early Head Start - \$976,416

SETA will allocate funds towards various deferred maintenance projects, such as repairs to the bathrooms at Fruitridge and Galt, outdoor rubber flooring at Grizzly Hollow, painting at various sites, and drainage repair on the play yard at Mather. Other anticipated projects include, but are not limited to, landscaping/tree removal, interior and exterior paint, cement/pathway replacement, canvas replacements on shade structures, fencing, artificial turf, tuff sheds, lights/ballast replacements, water heaters, toilets, sinks/countertops, cabinetry, etc.

Contractual (Head Start - \$6,074,430 & Early Head Start - \$220,051)

Elk Grove is requesting carryover funds to complete various deferred maintenance projects to enhance the outdoor environments with the purchase and install of shade structures at Irene B. West and Beitzel Elementary. Sac City USD is requesting to carryover funds to purchase/install new flooring and carpet at each of their Head Start centers and other deferred maintenance projects. They will also be purchasing various technology supplies help improve the classroom environment. San Juan USD is requesting carryover funds to purchase additional classroom furniture, classroom improvements and new classroom technology supplies. Twin Rivers is requesting a carryover to complete previously approved capital projects at the Morey Ave (Paving, Marquee, Turf, Shade Canvas, Shad Structure) and Rio Linda (Turf) sites. They also plan to work on various deferred maintenance projects with the carryover funds. WCIC will utilize their carryover funds towards classroom supplies. River Oak Center for Children will be carryover funds to be utilized towards future trainings for their staff to attend. And SCOE will utilize carryover funds towards the purchase of supplies and other needed resources to support their program objectives.

Head Start Basic Carryover (PY 3 to PY 4)

Program	Funds Remaining	Funds Carried Over¹
Twin River USD	\$668,336	\$668,336
Elk Grove USD	799,936	799,936
Sac City USD	1,281,008	1,281,008
San Juan USD	3,251,100	3,251,100
WCIC	74,050	74,050
SETA	1,972,423	1,972,423
Total	8,046,853	8,046,853

Early Head Start/CCP Basic Carryover (PY 3 to PY 4)

Program	Funds Remaining	Funds Carried Over ¹
Twin River USD	\$95,543	\$95,543
San Juan USD	357	357
SCOE	53,839	53,839
River Oak Children’s Center	70,312 ¹	70,312
SETA	1,626,774	1,626,774
Total	1,846,825	1,846,825

¹ Delegates may relinquish funds to be returned back to the Grantee. It is at the grantee’s discretion to release any relinquished funds for competitive proposal amongst the delegates agencies. SETA will update ACF and OHS if there are any funds changing between Delegate agencies.

**CARRYOVER REQUEST (YEAR 3 – PY 22/23)
HS/EHS T&TA GRANT FUNDS \$242,816**

HS T&TA – \$46,989
EHS/CCP T&TA – \$195,827

Head Start

SETA and its Delegate Agencies (Twin Rivers, Sac City USD and San Juan USD) are requesting to carryover over its remaining T&TA funds to be used towards upcoming trainings, conferences and webinars to continue to promote staff development. The chart below reflects the amount that each agency will carryover over from the 22-23 program year to the 23-24 program year.

Head Start Basic T&TA Carryover (PY 3 to PY 4)

Program	Funds Remaining	Funds Carried Over
Twin River USD	\$75	\$75
Sac City USD	7,878	7,878
San Juan USD	7,751	7,751
SETA	31,285	31,285
Total	\$46,989	\$46,989

Early Head Start/CCP Basic Carryover (PY 3 to PY 4)

Program	Funds Remaining	Funds Carried Over
San Juan USD	\$38,835	\$38,835
SETA	156,992	156,992
Total	\$195,827	\$195,827

NON-FEDERAL SHARE (NFS) \$2,534,124

Head Start Basic and T&TA	Early Head Start/CCP Basic and T&TA
\$2,023,461	\$510,664

SETA Operated Program – SETA has identified the following sources of non-federal share to meet the required match including:

Head Start - \$500,927 Early Head Start/CCP - \$445,942

Parent/Other Volunteers - Classroom volunteers include parent classroom volunteers, School Readiness Aides, and Parent Food Aides. SETA anticipates approximately 26,250.8733 hours of additional volunteer time. Volunteer hours are valued at the current associate teacher wage rate with fringe benefits (\$36.07/hour).

Delegate Agencies - Delegate NFS sources are outlined in individual budget and budget narratives on HSES. Non-Federal Share for Head Start and Early Start Basic is \$1,587,256

Head Start - \$1,522,534 Early Head Start - \$64,722

RECOMMENDATION:

Approve the submission of a carryover request for Program Year 2023-2024, from Head Start supplemental duration grant in an amount not to exceed **\$10,136,494**

ACTION: Moved _____ Seconded _____

VOTE: Aye _____ Nay _____ Abstain _____

ITEM III-E – ACTION

ELECTION OF HEAD START POLICY COUNCIL VICE-CHAIR AND PARLIAMENTARIAN FOR PROGRAM YEAR 2023-2024

BACKGROUND:

This agenda item provides an opportunity for the Policy Council (PC) to elect officers for Program Year 2023-2024. The duties of PC officers shall be as prescribed in the Bylaws and shall also include such other duties as may be established by the PC that are not in conflict with these Bylaws, Article V – Officers, Section 2B and 2C:

Section 2, B of the Bylaws states: No member shall hold more than one (1) office at a time, and no member shall be eligible to serve more than two (2) terms in the same office. No more than one (1) representative per each of the SOP, Delegate Agencies, or Community Representatives shall serve as an officer.

Section 2, C of the Bylaws States: A SOP Parent Advisory Committee (PAC) member who has not been re-elected/replaced (called a holding member) shall not be eligible for election to represent PAC on PC or hold an officer position.

SECTION 3: Duties of Officers

The duties of PC officers shall be as prescribed in these Bylaws and shall include such other duties as may be established by the PC that are not in conflict with these Bylaws.

The duties of the PC officers shall be as prescribed in these Bylaws and shall also include such other duties as may be established by the PC that are not in conflict with these Bylaws.

- B. The Vice Chair shall serve as Chair of the PC in the absence of the Chair, and shall have all the delegated powers. The Vice Chair will assume the position of Chair if the seat of Chair is vacated. An election will be held for Vice Chair. Should both the Chair and Vice Chair leave office simultaneously, an election will be held at the next regularly scheduled meeting to replace both. The Secretary shall preside over the election in this event. The Vice Chair shall oversee the Parent Ambassador Committee.

- E. The Parliamentarian shall advise the presiding officer on matters pertaining to parliamentary procedure and oversee the Personnel/Bylaws Committee. If the Parliamentarian sits by the Chair, he or she is not entitled to make motions, discuss motions, or vote.

ITEM III-E – ACTION (continued)
Page 2

RECOMMENDATION:

That the Policy Council elect a Vice Chair and Parliamentarian.

Vice Chair:

Parliamentarian:

ACTION: Moved: _____ Second: _____

VOTE: Aye: _____ Nay: _____ Abstentions: _____

ITEM IV-A – INFORMATION

STANDING INFORMATION

BACKGROUND:

- A. Standing Information Items
- Fiscal Monthly Report/Corporate Card Monthly Statement of Account: Mr. Victor Han
 - Health Service Advisory Committee (HSAC) Report: Ms. Fienishia Wash
 - Community Resources – Parents/Staff: Ms. Fienishia Wash
 - Water Festival
 - Help Me Grow

NOTES:



HATTAF International with the acknowledgement of the City of Sacramento, County of Sacramento and several state agencies presents

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2023 Sacramento WATER FESTIVAL

Discovery Park
Sacramento, CA
Where the Twin Rivers meet
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NOV 4
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ITEM IV-B - INFORMATION

SETA'S RECRUITMENT UPDATE

BACKGROUND:

SETA continues to actively recruit, screen, interview and on-board new staff to support the Children and Family Services Department. A summary report of activities will be sent under separate cover.

NOTES:

ITEM IV-C – INFORMATION

SETA GOVERNING BOARD MINUTES

BACKGROUND:

Attached for your information is a copy of the most recent minutes of the SETA Governing Board.

Staff will be available to answer questions.

NOTES:

**REGULAR MEETING OF THE SACRAMENTO EMPLOYMENT AND
TRAINING AGENCY GOVERNING BOARD**

Minutes/Synopsis

(The minutes reflect the actual progression of the meeting.)

SETA Board Room
925 Del Paso Blvd., Suite 100
Sacramento, CA 95815

Thursday, September 7, 2023
10:00 a.m.

I. Call to Order/Roll Call/Pledge of Allegiance

Mr. Kennedy called the meeting to order at 10:06 a.m. The roll was called and a quorum was established.

Members Present:

Mai Vang, Vice Chair, Mayor Pro Tem, City of Sacramento
Sophia Scherman, Member, Public Representative
Patrick Kennedy, Chair, Board of Supervisors
Rich Desmond, Member, Board of Supervisors (*arrived and seated at 10:13 a.m.*)
Eric Guerra; Vice Mayor, City of Sacramento

Members Absent:

II. Consent Items

- A. Approval of Minutes of the August 3, 2023 Regular Board Meeting
- B. Approval of Claims and Warrants
- C. Approval to Amend the Conflict of Interest Code for the Sacramento Employment and Training Agency
- D. Approval of the Submission of the Student Training and Employment Program (STEP) Application to the California Department of Rehabilitation and Authorization for the Executive Director to Execute the Agreement and Any Other Documents Required by the Funding Source
- E. Approval to Modify Greater Sacramento Urban League's Vendor Services Contract

Moved/Scherman, second/Guerra, to approve the following consent items:

- A. Approval of Minutes of the August 3, 2023 Regular Board Meeting
- B. Approval of Claims and Warrants

- C. Approval to Amend the Conflict of Interest Code for the Sacramento Employment and Training Agency
- D. Approval of the Submission of the Student Training and Employment Program (STEP) Application to the California Department of Rehabilitation and Authorization for the Executive Director to Execute the Agreement and Any Other Documents Required by the Funding Source
- E. Approval to Modify Greater Sacramento Urban League's Vendor Services Contract

Roll call vote:

Aye: 4 (Guerra, Vang, Scherman, Kennedy)

Nay: 0

Abstention: 0

Absent: 1 (Desmond)

III. Action Items

A. GENERAL ADMINISTRATION/SETA:

1. Approval of Recommendations of Amendments to the Sacramento Employment and Training Agency Joint Exercise of Powers Agreement

Legal Counsel reviewed the item. He advised that based on the previous discussions with respect to the appointment process for the SETA Executive Director, and consistent with those discussions, an amendment to the Joint Powers Agreement (JPA) was drafted for the Board's consideration. The proposed amendment provides that the SETA Governing Board would be responsible for the hiring and firing of any SETA Executive Director in the future.

Legal Counsel explained that the second provision is to increase the threshold for the purchasing of goods and services. The current threshold has been set at \$100,000 and requires the Board of Supervisors and the City Council approval for the purchase of any goods and services over the threshold amount. This contracting limitation has never been increased, notwithstanding substantial inflation since the agency's inception. In 1994, the federal government implemented a new "Simplified Acquisition Threshold" ("SAT") that periodically adjusts for inflation and permits the acquisition of goods and services through a simplified procurement procedure. Originally set at \$100,000 in 1994 (the same as SETA's JPA limitation at the time), the SAT has been periodically adjusted to its current level of \$250,000 and may be periodically adjusted in the future. The Administrative Services Deputy Director has advised that utilization of the SAT for the purchase of goods and services would permit SETA to follow federal procurement guidance and obviate the need for City Council and Board of Supervisors approval. As a result, staff and Legal Counsel propose that Section 21(4) be amended to read as follows:

(4) "Contracts for goods or services the cost of which exceeds the federal Simplified Acquisition Threshold as it may be periodically adjusted by the

federal government from time to time."

If approved today, the recommendations for Amendment to the Joint Powers Agreement will go to the City Council and Board of Supervisors for final approval, and then it would be amended and filed with the State of California.

Supervisor Kennedy stated that the Amendment to the Joint Powers Agreement regarding the appointment of the SETA Executive Director would add transparency to the hiring process and give this Board and the public a greater say in the agency's leadership.

Mr. Fabrizio Sasso with the Sacramento Central Labor Council, a Sacramento Works Board Member, spoke on the item. He stated that the current structure has existed since the inception of SETA over forty-five years ago and seems to work at this time. It ensures accountability, transparency, oversight, and equal distribution of authority between the City and the County. Mr. Sasso asked the Board to consider how the JPA is currently structured in relation to employee morale. Under the administration of the current Executive Director, morale has improved and positive changes have been seen in workforce development. He stated that unless there is a significant problem with the current JPA structure identified, he believes there is no reason for an amendment regarding the appointment of an Executive Director. He suggested creating transparency without significantly changing the JPA's structure. Mr. Sasso asked the Board to postpone this item and have conversations with labor partners, the community, and each of the respective government agencies, the Sacramento City Council, and the Sacramento County Board of Supervisors.

Supervisor Desmond arrived and was seated at 10:13 a.m.

Mr. Kevin Brown, CEO of People Working Together, a SETA vendor, spoke on the item. He stated that as it relates to the workforce system, delivering services to marginalized communities and establishing livable wage jobs with other employment sectors, he was concerned that the proposed change to the JPA in selecting the Executive Director may not deliver the outcomes that are necessary in order for the Board to continue serving the Capital Region. Mr. Brown asked the Board to postpone this item at this time.

Vice Mayor Guerra thanked the Chair, Supervisor Kennedy, for bringing forward the discussion about the governing structure. He motioned to postpone this item, without prejudice, until further notice to allow time for deeper conversation regarding the proposed amendment.

Mayor Pro Tem Vang thanked the Chair for bringing this item forward with the help of Legal Counsel and those who spoke today. She acknowledged the importance of modernizing charters. She also stated that if the Board is going to make a significant change to the governance structure, more time to discuss is

needed. Mayor Pro Tem Vang supported Vice Mayor Guerra's motion to postpone this item without prejudice. Additionally, conducting a thorough listening session with SETA employees was suggested.

Representative Scherman did not support the motion to postpone this item. She encouraged hiring qualified candidates from within the organization and moving forward with this item as written.

Supervisor Desmond stated that he is inclined to support this item as he believes that SETA is an anomaly in terms of the involvement of the governing body in selecting the Executive Director. However, being sensitive to the concerns brought up by Vice Mayor Guerra and Mayor Pro Tem Vang, he supported postponing this item to allow more time for discussions.

Moved/Kennedy, second/Scherman, to support the staff recommendation and approve the amendments to the Sacramento Employment and Training Agency Joint Exercise of Powers Agreement to revise procedures for Appointment of the Executive Director and increase the authority of SETA to contract for goods and services up to the amount of the federal Simplified Acquisition Threshold, and authorize staff and Legal Counsel to present the proposed amendments to the Sacramento County Board of Supervisors and the Sacramento City Council for review and approval.

Roll call vote:
Aye: 2 (Kennedy, Scherman)
Nay: 2 (Vang, Guerra)
Abstention: 1 (Desmond)
Absent: 0

The motion failed.

Moved/Guerra, second/Vang, to postpone this item without prejudice until a later date.

Roll call vote:
Aye: 3 (Vang, Guerra, Desmond)
Nay: 2 (Kennedy, Scherman)
Abstention: 0
Absent: 0

B. WORKFORCE DEVELOPMENT DEPARTMENT:

General/Discretionary: No items

Community Services Block Grant: No items

One Stop Services: No items

Refugee Services:

1. Approval of Staff Funding Recommendations for the Refugee Support Services (RSS) and RSS Set-Aside Grant Programs, Program Year (PY) 2023-2024

Ms. O’Camb introduced herself and reviewed the item. She advised that the new funding year for RSS and RSS Set-Aside Grant Programs begins on October 1, 2023, and ends on September 30, 2024. Service providers were solicited through a Request for Proposals (RFP) released on May 1, 2023. On June 16, 2023, SETA received twenty-two proposals submitted by eleven applicant agencies in response to the RFP, requesting \$10,455,595 in funding. Although final allocations for federal fiscal year 2024 RSS and RSS Set-Aside awards from the state are yet to be received, preliminary estimates, including identified carryover funds from this fiscal year, indicate the total funds available for allocation will be \$8,640,696 to serve approximately 2,459 refugees in SETA’s employment and acculturation programs in PY 2023-2024. The funding recommendation is based on the respondents proposals, their past performance, and considering geographic diversification and high-volume program entry points of priority populations. If approved today, issuance of the awards will be contingent upon final allocations received from the state. The additional support service awards are made to RSS providers to provide housing, utilities, and technology support, including computer equipment or supplies that support virtual/remote learning efforts, virtual case management, and/or access to digital literacy, to enrolled clients.

Moved/Scherman, second/Desmond, to approve staff funding recommendations for the Refugee Support Services (RSS) and RSS Set-aside programs, PY 2023-2024, as indicated in the attached funding charts and with the following stipulations:

- 1) If the final allocations for RSS and RSS Set-aside are less than the anticipated awards, SETA reserves the right to reduce amounts allocated to providers proportionally;
- 2) If the final allocations for RSS and RSS Set-aside are more than anticipated, staff may return with an augmentation recommendation;
- 3) VESL/ES, ES Stand Alone, VESL/OJT, and ELL Workforce Navigator service providers must ensure open entry and prompt placement into VESL classes for all clients that are assessed in need of English language training;
- 4) All VESL/ES, ES Stand Alone, VESL/OJT, and ELL Workforce Navigator budgets must include a minimum allocation of 5 percent for supportive services;
- 5) Providers with case management and job development staff budgeted for less than 12 months, or budgeted for part-time employment, must ensure program services are available Monday through Friday, at least eight (8) hours a day from October 1, 2023 through September 30, 2024;
- 6) Participants in Match Grant employment services provided by the International

Rescue Committee or World Relief are not eligible to participate in RSS-funded programs until all services within the Match Grants have been exhausted.

Roll call vote:

Aye: 5 (Vang, Guerra, Desmond, Scherman, Kennedy)

Nay: 0

Abstention: 0

Absent: 0

C. CHILDREN AND FAMILY SERVICES: No items

IV. Information Items

- A. Uptown Studios Presentation/Update on Re-Branding/Logo Revamp:
Ms. Reynolds and Ms. Michienzi from Uptown Studios presented on SETA re-branding and the new SETA logo.

Ms. Hernandez advised that Uptown will prioritize updating the new logo on electronic and digital materials. The timeline is currently being finalized.

Vice Mayor Guerra requested an individual follow-up on the sub-logos design.

- B. Employer Success Stories and Activity Report: No Questions
- C. Dislocated Worker Update: No Questions
- D. Unemployment Update/Press Release from the Employment Development Department: No Questions
- E. Head Start Reports:
Vice Mayor Guerra requested a compliance update for Sacramento City Unified School District.

Ms. Griffith advised that as of last week, there is a new Assistant Superintendent of Early Learning and Care, E'leva Hughes Gibson. SETA plans to meet with Dr. Gibson and Ms. Lisa Allen to discuss contract changes shortly.

Supervisor Kennedy requested to continue being informed of any updates in this regard.

V. Reports to the Board

- A. Chair: No Report
- B. Executive Director:

Ms. Hernandez advised the Board on her last day with the Agency – September 15, 2023. She stated that during her time with SETA, she tackled the following pressing issues in a significant way: employees feeling undervalued, concerns about the hiring process, and a sense of disconnect from SETA's work and community awareness. Ms. Hernandez shared that norms of engagement with staff, like the open-door concept and coffee chats, were invented. She was proud of the All Staff Meeting held on September 4, 2023. The team felt joyful and passionate about the work that they do. Ms. Hernandez appreciated the staff and community partners' hard work and commitment. She was thankful for being allowed to serve as SETA's Executive Director and was honored to be the first Latina to serve in this role and represent the community.

The Members of the Governing Board thanked Ms. Hernandez for her service.

- C. Deputy Directors: No Report
- D. Counsel: No Report
- E. Members of the Board:

Mayor Pro Tem Vang announced the Job Fair at South Sacramento, Florin light rail station, co-hosted by Councilmember Maple, and in partnership with SETA, on October 11, 2023, from 11:00 a.m. – 3:00 p.m. She thanked SETA staff for partnering and helping with the event.

Vice Mayor Guerra commented on the importance of an implementation position for economic development projects, specifically on Aggie Square, during the leadership transition at SETA.

Ms. Hernandez assured that the new Interim Executive Director, effective September 16, Ms. D'et Saurbourne – current Administrative Services Deputy Director, and SETA Workforce Department leadership, will continue efforts to support Aggie Square and other economic development projects.

- F. Public: None
- VI. **Adjournment:** The meeting adjourned at 11:06 a.m.

ITEM V

COMMITTEE REPORTS

V. Committee Reports

- Executive Committee Meeting: Ms. Donna Bonner

- Budget/Planning Committee Meeting: Ms. Donna Bonner

NOTES:

ITEM VI

OTHER REPORTS

BACKGROUND:

- A. INTERIM EXECUTIVE DIRECTOR'S REPORT: This item is set aside to allow the SETA Interim Executive Director (Ms. D'et Saurbourne) an opportunity to report to the Policy Council on any items of important information or training opportunities available through the Workforce Development Department.

- B. SETA HEAD START DEPUTY DIRECTOR'S MONTHLY REPORT: This item is set aside to allow the Head Start Deputy Director (Ms. Karen Griffith) to report to the Council on any items of important information or to deal with special requests which need to be addressed.

✓ Monthly Head Start Report

- C. CHAIR'S REPORT: The Chair of the Head Start Policy Council, on a regular basis, receives numerous items of information concerning legislation, current programs and agency activities.

The important information from the material received and meetings attended will be shared with the entire Council, and the method proposed by the Chair is to give a verbal report at each regular meeting. It will also allow time for the Council to provide input on items that may require future action.

SETA HEAD START & EARLY HEAD START IN THE COMMUNITY JULY-OCTOBER

- KINGS DO GOOD SUMMIT
- MARISOL VILLAGE PRESENTATION
- COMMUNITY HEALTH EVENT
- RIO LINDA COUNTY FAIRE
- NATIONAL NIGHT OUT
- GALT JOB AND RESOURCE FAIR
- SOUTH SACRAMENTO EARTH DAY
- SPRING EXTRAVAGANZA
- RESOURCE FAIR AND TAX PREP
- EARTH DAY COMMUNITY HEALTH FAIR
- HOLISTIC HEALTH FAIR
- KIDS DAY IN THE PARK
- LGBTQ CENTER JOB FAIR
- BLOCK WORKS
- FREE HAIR CUT TUESDAY
- AVALA PEDIATRICS
- MARDI GRAS ON THE BLVD
- NETWORK CAFE
- COMMUNITY PARTNER REFERRALS
- MLK RESOURCE FAIR
- HEALTHY DAY SACRAMENTO
- CARE FEST
- GALT JOB FAIR
- CELEBRANDO NUESTRA SALUD
- TRUNK OR TREAT
- NATIONAL NIGHT OUT
- HARVEST MOON FESTIVAL
- BABY BLOCK PARTY
- BACKPACK GIVEAWAY
- TAHOE PARKS FOOD TRUCK
- COMMUNITY BABY SHOWER
- DOMESTIC VIOLENCE AWARENESS EVENT

- HEALTH COMMUNITY DAY
- MULTICULTURAL BUSINESS AND CAREER EXPO
- LATINO BOOK AND FAMILY FESTIVAL
- WALK N ROLL
- RIO LINDA COUNTY FAIRE
- NORTH HIGHLANDS HALLOWEEN EXTRAVAGANZA
- THE PUMPKIN PATCH
- FAMILY AND FRIENDS COMMUNITY EVENT
- MUTUAL ASSISTANCE NETWORK HARVEST FESTIVAL
- HARVEST FESTIVAL
- CARMICHAEL PEDIATRICS
- TETTEH PEDIATRICS HEALTH
- SAC LIBRARY PLAY AND LEARN
- SWEET POTATO FESTIVAL
- CONNECTING OUR COMMUNITIES RESOURCE EXPO SMUD
- BABY BLOCK PARTY-VALLEY HIGH RESOURCE CENTER
- 3RD ANNUAL DANA MAESHIA RESOURCE FAIR
- COMMUNITY RESOURCE PROJECT DIA DE FAMILIA
- BRIDGE NETWORK THANKSGIVING DISTRIBUTION
- COMMUNITY AWARENESS AND RESOURCE FESTIVAL
- US DAVID MIND INSTITUTE FAMILY RESOURCE FAIR
- NORTH SACRAMENTO FAMILY RESOURCE CENTER TRUNK OR TREAT





Seta Head Start Food Service Operations Monthly Report *September, 2023

9/5/23 - Bret Harte site opened.

Alder Grove ELC class V and Alder Grove I/T classes M & U closed due to water being shut off.

Northview class A closed due to staffing.

9/6/23 - Alder Grove ELC closed due to staffing.

9/15/23 - Homebase had a field trip to the Safety Center. Kitchen prepared 143 sack lunches.

9/19/23 - Walnut Grove closed due to staffing.

	Lunch	PM Snack	Breakfast	Field Trips
	32,820	30,140	31,400	1
Total Amount of Meals and Snacks Prepared				94,503

Purchases:

Food	\$80,239.37
Non - Food	\$13,691.08

Building Maintenance and Repair: \$0.00

Janitorial & Restroom Supplies: \$0.00

Kitchen Small Wares and Equipment: \$0.00

Vehicle Maintenance and Repair: \$1,224.28

Vehicle Gas / Fuel: \$2,603.49
Normal Delivery Days 21

SPECIAL EDUCATION REPORT

Sacramento County Head Start/Early Head Start

September 2023

The Special Education Report shows the percentage of enrolled preschool aged children with a diagnosed disability receiving services through an Individualized Education Plan (IEP). For Early Head Start, the Special Education Report shows the number of children ages 0-3 who are receiving early intervention services through an Individualized Family Services Plan (IFSP).

Head Start Program Performance Standards Reference: 1302.14 (b)(1) states *a program must ensure at least 10 percent of its total funded enrollment is filled by children eligible for services under IDEA, unless the responsible HHS official grants a waiver.*

Agency	AFE (HS)	Total IEPs	% of AFE	AFE (EHS)	Total IFSPs	% AFE
SETA operated	1544	136	9%	699	107	15%
Twin Rivers USD	160	31	19%	56	1	2 %
Elk Grove USD	480	41	9%			
Sac City USD	676	74	11%	16	3	19%
San Juan USD	888	48	5%	164	4	2%
WCIC	100	3	3%			
COUNTY TOTAL	3848	333	9%	935	115	12%

AFE: Annual Funded Enrollment

**Sacramento County Head Start/Early Head Start
Monthly Enrollment Report
September 2023**

Head Start

Agency	Funded Enrollment	(a) Last Day of Month Enrollment (09/30/23)	(b) % of capped/closed	(c) % Actual to Funded
Elk Grove USD	480	397	0	83%
Sacramento City USD	676	562	20 (86%)	83%
San Juan USD	888	591	136 (79%)	67%
SETA	1,544	1,159	34 (77%)	75%
Twin Rivers USD	160	131	0	82%
WCIC/Playmate	100	73	0	73%
Total	3,848	2,913	190 (80%)	76%

Early Head Start

Agency	Funded Enrollment	(a) Last Day of Month Enrollment (09/30/23)	(b) % of capped/closed	(c) % Actual to Funded
San Juan USD	164	149	12 (98%)	91%
SETA	699	611	37 (92%)	87%
Twin Rivers USD	56	34	20 (81%)	61%
SCUSD	16	0	16 (100%)	0%
Total	935	794	85 (93%)	85%

- (a) Includes children who have dropped during the month and whose slot will be filled within 30-day allowable period.
- (b) Demonstrates enrollment percentages if classes were not capped/closed due to staffing shortage and or other programmatic challenges.
- (c) If enrollment is less than 100%, agency includes corrective plan of action.

Reasons for Program Under Enrollment

Elk Grove USD

- EGUSD continues to experience staffing shortage in both teachers and paraeducators positions which is a barrier for meeting full enrollment.
- Parents continue to inquire if teachers have been hired before accepting enrollment toward vacant slots.

Sacramento City USD

- The following sites will provide services for EHS program, although currently not active due to staffing shortage: American Legion and Elder Creek -totaling 16 enrollment slots.
- John Bidwell classroom is slated to open October 30, 2023- totaling 20 enrollment slots.

San Juan USD

- Limited staffing shortages in positions that support classroom ratio and home base at the following locations: Davie; Howe; Home Base - totaling 148 enrollment slots.
- Two New Enrollment staff are still getting into the flow of the job—creating a slow conversion rate from waitlist to enrolled.
- Transitional Kindergarten, Modified Transitional Kindergarten, and Traditional Transitional Kindergarten has expanded to 29 locations within San Juan Unified School District encroaching on Head Start/WRAP slots.

SETA

- The following sites have classroom(s) capped due to limited staff: Hiram; Marina Vista; Northview - totaling 38 enrollment slots.
- Florin, Illa Collin and Walnut Grove pending license for EHS classrooms- totaling 33 enrollment slots.
- Vacancies in the following positions that support classroom ratio or enrollment: 25 Education positions (HS Associate Teacher/Teacher, Lead Teacher/Infant Toddler, Site Supervisor); 3 Family Services Workers; 1 Home Visitor for SCOE.

Twin Rivers USD

- The following sites have classroom(s) capped due to limited staff: Oakdale; Rio Linda and Village- totaling 24 enrollment slots.
- Vacancies in the following staffing positions: Head Start Site Supervisor, ECE Para Educators (8), Teachers (4), and Family & Community Liaison.

WCIC/Playmate

- Decrease in demographics of eligible families within 95817 zip code over the past year.

Strategies/Action Step(s) for Under Enrollment

Elk Grove USD

- Continuing community outreach and recruitment: Advertise programs through the district website and social media platforms.
- High impact sites with secured staffing continue to maintain an active waitlist for any open enrollment slots within the 95624 and 95758 zip codes.

Sacramento City USD

- Continuing to attend community events, word of mouth, collaborating with the Assistant Superintendent, ELC, Family Engagement Coordinator, and the Parent Advisor to discuss and exchange ideas about recruitment for our program that will increase our preschool enrollment.
- Collaborating with SCUSD Communications Department to create unique ways to advertise our preschool programs to present to the community the services we provide and the programs we have available to families. Following up with families who are on our sites wait list to inform them of classroom openings that becomes available.
- The Enrollment staff will be collaborating with the District's Technology Services to find ways to streamline our preschool enrollment process to make the process smoother and easier to navigate.

San Juan USD

- Team brainstorming (All support staff connected with enrollment—SCWs, Nurses, Health Assistants, AFSTs, ICTs, TOSAs, Contents, Admin) session on expediting systems in enrollment. Proposal: Teachers on Special Assignments (TOSAs) may do orientations at weekly screenings to speed up the enrollment process in October.
- Family Engagement Content Specialist and Enrollment Secretary attended Fair Oaks “Chicken Festival” to promote our Head Start and Early Head Start programs for east-end sites of San Juan Unified School District (zip codes: 95610 and 95621).
- Program manager and ECE admin are continuing to meet regularly with HR to ensure that positions are posted.
- New digital business card with EHS and HS enrollment information being piloted with a home-based teacher.

SETA

- Human Resources listed job openings within employment search websites and partnered with the following agencies to fill vacancies: CA Head Start Assoc., CalJOBS, ZipRecruiter, Indeed and ADP WFN Recruitment Portal, SETA Job Fair. Employment offers were accepted during September for the following positions: 2 Family Services Worker, 2 Teachers; 1 LT/IT; 10 Associate Teachers, 2 AT/IT.
- Recruitment and networking opportunities to increase awareness of Head Start services and community visibility: Sacramento Kings Do Good Summit; Marisol Village Presentation; Dia de Familia Community Resource Project; Norwood Community Health Event; Rio Linda County Fair; SMUD Resource Expo. Through these recruitment events, 26 Interest Forms were completed by families inquiring of Head Start services.

Twin Rivers USD

- All of the vacant positions are posted on Edjoin/Team Tailor. Admin screens, interviews, and recommends staffing to HR for hiring. Contracted with Child Care Careers (CCC) substitute to temporarily fill the vacancies.
- Family Community Liaison Team attended community event and set up recruitment table at Del Paso Heights Library. Five families were assisted with completing a waitlist for services.
- Continuing to contact families from the ranked waiting list appropriately.

WCIC/Playmate

- WCIC's staff participated with St. HOPE Back to School event held at the McClathry Park. WCIC's staff passed out recruitment flyers and school supplies to the children. Many families attended and filled out WCIC's Waitlist. Staff enrolled several students from this event. Closed during Summer.

ITEM VI – OTHER REPORTS (continued)
Page 2

- D. HEAD START MANAGERS' REPORTS: This item provides an opportunity for the Head Start Managers to provide reports. The Managers are:
- Lisa Carr – Family Engagement, Home Base, and ERSEA Services
 - Megan Lamb – School Readiness, Special Education, and Mental Health Services
 - Gricelda Ocegueda – Health, Oral Health, Nutrition, Food Services, Quality Assurance and On-going Monitoring
 - Betsy Uda – Safe Environments, Facilities, and Licensing.

- E. OPEN DISCUSSION AND COMMENTS: This item provides an opportunity for Head Start Policy Council members to bring up topics for discussion. Members are asked to address their requests to the Chair if they wish to speak. No action is to be taken on any item that is discussed during this meeting; the board may direct staff to place agenda items on upcoming agendas for action.

- F. PUBLIC PARTICIPATION: Participation of the general public at Head Start Policy Council meetings is encouraged. Members of the audience are asked to address their requests to the Chair if they wish to speak.
