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***This template is not all-inclusive and may not address all issues specific to your company, industry, or jurisdiction. We strongly recommend that you consult with a qualified employment attorney to review this handbook before implementing it in your organization to ensure full compliance with applicable local, state, and federal laws.***

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***This document includes removeable links to state and federal departments for employers to review when creating their handbook.***

**Some important Company Size based Requirements (Employer information):**

* **5 or more employees:**
	+ California Family Rights Act (CFRA)
	+ Pregnancy Disability Leave (PDL)
	+ Fair Employment and Housing Act (FEHA)
	+ Mandatory anti-harassment training
* **50 or more employees:**
	+ Family and Medical Leave Act (FMLA)
	+ California Family Rights Act (CFRA)
	+ Affordable Care Act (ACA) health insurance requirements
* **1 or more employees:**
	+ Workers' Compensation
	+ Paid Sick Leave (PSL)
	+ Cal/OSHA safety requirements
	+ Lactation accommodation

**LOGO**

**COMPANY NAME**

**2024 Employee Handbook**

**Welcome to [Company Name]**
We are pleased to welcome you to [Company Name]. This handbook will help you understand our policies, practices, and benefits, while ensuring compliance with California and federal labor laws. Certain legal requirements depend on company size, and this handbook will outline those as applicable. Please take the time to review this handbook and refer to it when necessary.

**Table of Contents**

1. Introduction
2. Company Overview
3. Employment Policies
4. Wage and Hour Compliance
5. Introductory Period & Employee Classifications
6. Code of Conduct
7. Employee Benefits and Leaves
8. Work Hours and Attendance
9. Workplace Safety
10. Drug & Alcohol Abuse Policy
11. Technology and Data Security
12. Anti-Harassment and Discrimination
13. Leaves and Protections
14. Family and Medical Leave Act (FMLA)
15. Disciplinary Procedures
16. Management Rights Clause
17. Performance Reviews & Evaluations
18. Employee acknowledgment

**1. Introduction**

**Purpose of this Handbook**
This handbook outlines policies and procedures for employees of [Company Name]. It serves as a guide for your responsibilities and rights as an employee, including compliance with both federal and California labor laws. This document is not a contract and may be revised as needed.

**2. Company Overview**

**Our Mission**
At [Company Name], our mission is to [briefly describe the company mission].

**Our Values**

* Integrity
* Customer Focus
* Collaboration
* Excellence

**3. Employment Policies**

**Equal Employment Opportunity (EEO)**
[Company Name] provides equal employment opportunities in compliance with California’s Fair Employment and Housing Act (FEHA) and applicable federal law. We do not discriminate based on race, gender, religion, disability, or any other protected category under federal and state laws.

**Employment At-Will**
Employment with [Company Name] is “at-will,” meaning either the employee or the employer may terminate the relationship at any time, with or without cause or notice, except where law prohibits such practice.

**4. Wage and Hour Compliance**

**California Minimum Wage**
Effective \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, California’s minimum wage is $\_\_\_\_\_\_\_ per hour for all employers. Exempt employees must earn a salary of at least twice the state minimum wage, which amounts to $\_\_\_\_\_\_\_\_\_ per year for full-time employment.

**Meal and Rest Breaks**
California employees are entitled to a 30-minute unpaid meal break for every 5 hours worked, and a second meal break if they work more than 10 hours. Employees are also entitled to a 10-minute paid rest break for every 4 hours of work or major fraction thereof.

* **Meal Breaks**:
Employees who work more than 5 hours in a day are entitled to a **30-minute unpaid meal break**. If the employee works more than 10 hours, they are entitled to a **second 30-minute unpaid meal break**. Meal breaks must be taken by the end of the fifth hour of work (i.e., no later than 4 hours and 59 minutes into the shift). The second meal break, if applicable, must be taken by the end of the 10th hour of work.
* **Rest Breaks**:
Employees are entitled to a **10-minute paid rest break** for every 4 hours worked or "major fraction thereof." Typically, this means a 10-minute rest break is provided if an employee works between 3.5 and 6 hours, and an additional rest break if they work between 6 and 10 hours. Rest breaks should be scheduled in the middle of the work period whenever possible and must be uninterrupted.

**Employee Responsibility for Meal and Rest Breaks**

It is the **employee’s responsibility** to take their meal and rest breaks on time and in compliance with California law. Employees must ensure they:

1. **Take their meal breaks by the fifth hour of work**:
Employees are required to start their first meal break no later than the end of their fifth hour of work. For example, if an employee starts work at 8:00 a.m., they must begin their meal break no later than 12:59 p.m.
2. **Communicate with their supervisor if they are unable to take a break on time**:
If an employee is unable to take their meal or rest break at the appropriate time due to work demands or other reasons, they must inform their supervisor as soon as possible. The company will make reasonable accommodations to ensure compliance with the law.
3. **Understand that skipping or delaying meal breaks may result in penalties**:
California law requires employers to pay a premium (one hour of pay) for each day that a meal or rest break is not provided or taken in a timely manner. Employees must follow the company’s meal and rest break policies to avoid such situations.
4. **Take breaks free of work responsibilities**:
Meal breaks must be entirely free from work-related duties. Employees should refrain from working, taking calls, or engaging in any tasks during their unpaid meal breaks.

**Waiving Meal Breaks**

Employees may waive their first meal break only if their total workday is 6 hours or less. The second meal break may be waived if the employee works no more than 12 hours in a day and did not waive their first meal break. Any waiver of meal breaks must be mutually agreed upon by both the employee and employer.

**Overtime**
Non-exempt employees are eligible for overtime in accordance with California law. Overtime is paid at 1.5 times the regular rate for hours worked beyond 8 hours in a day or 40 hours in a week. Double-time is paid after 12 hours in a workday or after 8 hours on the seventh consecutive day of work.

[California Wage](https://www.dir.ca.gov/dlse/faq_minimumwage.htm?os=__&ref=app)

**5. Introductory Period & Employee Classifications**

**Introductory Period**

All newly hired employees are required to complete a 90-day introductory period. The purpose of this period is to allow for an assessment of the employee’s performance and suitability for the role before transitioning to regular employment status. During this time, employees also have the opportunity to evaluate whether [Company Name] is the right fit for them.

Throughout the introductory period, and for the duration of employment with the Company, [Company Name] reserves the right to modify the terms and conditions of employment, with or without notice and with or without cause. This may include changes to, but is not limited to, termination, demotion, promotion, transfer, compensation, benefits, duties, and work location.

Employees in the introductory period are not eligible for company-provided benefits, except where mandated by law.

**Employee Classifications**

1. **Introductory Employees**
All new employees are considered introductory during their first 90 days of employment. During this period, introductory employees are typically not eligible for certain company benefits.
2. **Exempt Employees**
Exempt employees are paid a salary and are not entitled to overtime pay. These employees typically hold executive, administrative, or professional positions that meet specific salary and job duties criteria as defined by state and federal laws.
3. **Non-Exempt Employees**
Non-exempt employees are paid on an hourly basis and are entitled to overtime pay in accordance with state and federal wage laws. Overtime is calculated based on actual hours worked, excluding hours paid but not worked, such as vacation, holidays, or sick leave.
4. **Regular Full-Time Employees**
Employees hired for ongoing service and who are regularly scheduled to work 40 or more hours per week. [Company Name] does not guarantee a minimum of 40 hours of work per week.
5. **Regular Part-Time Employees**
Employees hired for ongoing service and who are regularly scheduled to work fewer than 40 hours per week.
6. **Temporary Employees**
Employees hired to work on either a full-time or part-time basis for a specified, limited duration.

**6. Code of Conduct (you may utilize a separate Code of Conduct & include reference to it here)**

**Professional Behavior**
All employees are expected to adhere to [Company Name]’s professional conduct standards. This includes respect for colleagues, clients, and company property, as well as compliance with all policies.

**Dress Code**
[Company Name] enforces a [business casual] dress code. Specific guidelines are provided in the [Dress Code Policy].

**7. Employee Benefits and Leaves**

**Health Insurance**
If your company has **50 or more employees**, it is subject to the federal Affordable Care Act (ACA) and must provide health insurance. Eligible employees may participate in [Company Name]’s health insurance plan in accordance with ACA and state health laws.

[ACA for Employers](https://www.irs.gov/affordable-care-act/employers)

**Paid Time Off (PTO) or Vacation**
Employees are provided [X] days of Paid Time Off annually, accrued monthly.

[Vacation](https://www.dir.ca.gov/dlse/FAQ_Vacation.htm)

**8. Work Hours and Attendance**

**Work Schedules**
Standard work hours are from [time] to [time], [days of the week]. Employees are expected to follow their scheduled shifts, unless otherwise arranged with management.

**Attendance**
Regular attendance is essential. Please notify your supervisor in advance if you will be absent or late.

[CA work schedule](https://www.dir.ca.gov/t8/11170.html)

**9. Workplace Safety (you may utilize a separate safety policy & include reference here)**

**Cal/OSHA Compliance**
[Company Name] complies with all California Occupational Safety and Health Administration (Cal/OSHA) standards. Employees must report unsafe working conditions to HR or a supervisor immediately.

**Workers' Compensation**
If your company has **one or more employees**, California requires that workers' compensation insurance be provided. Report any workplace injuries immediately.

[Cal/OSHA](https://www.dir.ca.gov/dosh/)

[Workers Compensation](https://www.dir.ca.gov/InjuredWorkerGuidebook/InjuredWorkerGuidebook.html)

### **10. Drug and Alcohol Abuse Policy (California Compliance)**

**Purpose**

[Company Name] is committed to providing a safe, healthy, and productive work environment. The use, possession, or distribution of drugs and alcohol in the workplace can jeopardize the safety of employees, clients, and the company’s operations. This policy outlines the company’s expectations regarding drug and alcohol use and the procedures in place to address violations. This policy applies to all employees, contractors, and temporary workers at [Company Name]. It covers conduct during work hours, on company premises, and at any company-sponsored events. It also applies to employees traveling for work or performing work-related activities off-site.

**Prohibited Conduct**

1. **Drugs and Alcohol in the Workplace**
Employees are prohibited from the following activities during work hours, while on company premises, or while conducting company business:
	* Using, possessing, selling, distributing, or being under the influence of illegal drugs.
	* Using, possessing, selling, distributing, or being under the influence of alcohol, except during approved company-sponsored events where alcohol consumption is permitted in moderation.
	* Misusing or abusing prescription or over-the-counter medications.
2. **Illegal Substances**
Under no circumstances are employees permitted to use or possess illegal substances on company premises or during work hours, even if such substances are legalized for personal use under state law, such as marijuana. Federal law still classifies marijuana as an illegal substance, and the company abides by federal guidelines regarding drug-free workplaces.
3. **Prescription and Over-the-Counter Medications**
Employees using legally prescribed drugs or over-the-counter medications that may impair their ability to perform their job safely and effectively must notify their supervisor or Human Resources. The company will work with the employee to determine whether reasonable accommodations can be made in accordance with California disability laws.

**Reasonable Suspicion Testing**

If a supervisor or manager has reasonable suspicion that an employee is under the influence of drugs or alcohol while performing work-related duties, the employee may be required to submit to drug and/or alcohol testing. Reasonable suspicion may be based on factors such as observable behavior, speech, or physical appearance. Employees who refuse to undergo testing may be subject to disciplinary action, up to and including termination.

**Drug and Alcohol Testing for Safety-Sensitive Positions**

Employees in safety-sensitive positions may be required to undergo drug and alcohol testing as a condition of employment or on an ongoing basis, in compliance with California law and applicable industry regulations.

**Rehabilitation and Assistance**

[Company Name] supports employees seeking help for substance abuse. Employees who voluntarily seek assistance before a violation occurs will be provided with information regarding counseling, rehabilitation, or employee assistance programs (EAP), if available. Employees may also request leave under the California Family Rights Act (CFRA) or Family and Medical Leave Act (FMLA) to attend rehabilitation programs.

**11. Technology and Data Security**

Company property, including but not limited to computers, phones, email systems, software, and internet access, is provided to employees for business purposes only. The primary purpose of this policy is to ensure that company resources are used effectively, safely, and in a manner that supports business operations.

**General Guidelines:**

1. **Business Use:**
All company equipment is to be used for work-related tasks and activities that are in the best interests of [Company Name]. Personal use of company property is generally prohibited, except in rare circumstances where prior approval has been obtained from a manager or supervisor.
	* **Company Computers and Software**: All computers, including desktops and laptops, provided by the company are to be used exclusively for work tasks. Employees may not install unapproved software or make modifications to hardware without express authorization from IT.
	* **Company Phones and Communication Devices**: Any company-provided mobile phones or communication devices should be used for business purposes. Personal calls or text messages should be limited to emergencies or necessary communications, and any personal use must be kept to a minimum.
	* **Internet Use**: Internet access provided by the company is intended for business purposes, such as research, communication with clients, and accessing job-related tools. Employees are prohibited from using the internet for non-business-related activities that include, but are not limited to, browsing inappropriate websites, engaging in personal social media, or streaming content not related to work.
2. **Email and Communication Systems:**
Company email accounts are for official communication only. Employees should refrain from using company email for personal correspondence, including personal social media accounts or non-work-related activities. Emails should always be written with professionalism and reflect the values of [Company Name].
	* **Unauthorized Emails**: Employees must avoid sending or forwarding personal, inappropriate, or offensive emails, including jokes, spam, or discriminatory language. This includes sharing chain letters, unsolicited bulk email (spam), and inappropriate media.
	* **Email Monitoring**: The company reserves the right to monitor all emails and communications sent through company systems to ensure compliance with this policy and maintain the integrity of company operations.
3. **Prohibited Use:**
The following uses of company equipment are strictly prohibited:
	* Accessing, downloading, or storing inappropriate or illegal content.
	* Engaging in any illegal activity, including harassment, threats, or defamatory content.
	* Utilizing company equipment for personal business ventures, side jobs, or freelancing.
	* Sharing proprietary company data, trade secrets, or confidential information through personal devices, software, or platforms.
4. **Security and Maintenance of Equipment:**
Employees are responsible for maintaining the security of company equipment in their possession. This includes taking reasonable precautions to prevent damage, theft, or unauthorized access. Company equipment must be returned promptly upon termination or at the request of management.
	* Employees are expected to report any malfunctions, technical issues, or damages to IT immediately.
	* Lost or stolen equipment must be reported to management immediately.

**Data Security**

**Purpose:**
To protect the integrity, confidentiality, and availability of company data, ensuring compliance with data protection regulations, such as the California Consumer Privacy Act (CCPA), and safeguarding sensitive information from unauthorized access, misuse, or breaches.

**Policy:**
[Company Name] is committed to the protection of its digital and physical information assets. Employees are expected to safeguard all company data and take all necessary precautions to prevent data breaches or unauthorized access.

**General Guidelines:**

1. **Confidentiality:**
Employees must maintain the confidentiality of all company data, proprietary information, and personal information (such as employee or customer data) they have access to. This includes financial records, customer lists, business plans, contracts, and any other sensitive information.
	* Employees should not discuss or share confidential company information with unauthorized individuals, including coworkers without the need-to-know access, clients, or external parties.
	* Confidential information must not be disclosed outside the company without proper authorization and appropriate agreements in place (e.g., non-disclosure agreements).
2. **Data Access and Authorization:**
Employees are granted access to company systems, data, and files based on their job role and responsibilities. Accessing or attempting to access unauthorized data, systems, or files is strictly prohibited and may result in disciplinary action.
	* Employees should only access systems, files, and data necessary to perform their job duties.
	* User credentials, such as passwords, should not be shared with others. Employees are responsible for safeguarding their login information.
3. **Data Protection Measures:**
Employees are expected to follow company protocols for protecting data, including:
	* **Strong Passwords:** Use strong, unique passwords for all systems and regularly update them according to company policy.
	* **Encryption:** All sensitive data transmitted electronically should be encrypted to ensure its protection. Employees must use approved encryption tools provided by the company.
	* **Two-Factor Authentication (2FA):** Where applicable, employees must enable two-factor authentication to add an extra layer of security to accounts containing sensitive data.
4. **Use of Personal Devices (BYOD Policy):**
Employees may only use personal devices (phones, laptops, tablets) for work purposes if explicitly permitted by the company’s Bring Your Own Device (BYOD) policy. In these cases, employees must ensure:
	* Their devices are secured with passwords, biometric access, or other company-approved security measures.
	* Sensitive company data is only accessed through company-approved apps or VPNs.
	* Personal devices are regularly updated to prevent security vulnerabilities.
5. **Data Breaches:**
Employees are required to report any data breaches or suspected breaches to management or the IT department immediately. A data breach includes any unauthorized access to company data, whether through cyberattacks, accidental disclosure, or internal misuse.
	* Prompt reporting is essential to minimize damage and ensure compliance with California data breach laws, such as the CCPA, which requires businesses to notify individuals and authorities in the event of a significant breach of personal data.
6. **Data Storage and Retention:**
Employees are expected to follow company data retention policies and store data in designated secure locations, such as approved cloud storage solutions or company servers. Data should not be stored on personal devices or unapproved external drives.
	* Files and data must be retained or disposed of according to company policy and in compliance with applicable laws, including proper shredding or deletion of sensitive data.
7. **Remote Work and Data Security:**
Employees working remotely must ensure that they follow the same data security protocols as if they were working onsite. This includes:
	* Using a secure internet connection (e.g., a VPN) when accessing company systems remotely.
	* Avoiding the use of public Wi-Fi networks unless connected through a secure VPN.
	* Ensuring that sensitive information is not accessed or viewed by unauthorized individuals in shared or public spaces.

**12. Anti-Harassment and Discrimination**

**Zero Tolerance Policy**

**Purpose**

[Company Name] is committed to providing a workplace free from all forms of harassment, discrimination, and retaliation. This **Zero Tolerance Policy** reinforces our commitment to maintaining a respectful, safe, and inclusive work environment where all employees are treated with dignity and respect. We strictly prohibit any form of harassment or discrimination based on legally protected categories, as outlined under the **California Fair Employment and Housing Act (FEHA)** and other relevant federal, state, and local laws.

**Scope**

This policy applies to all employees, contractors, vendors, clients, and visitors at [Company Name]. It governs behavior within the workplace and at any work-related events, whether they take place on or off company premises.

**Prohibited Conduct**

[Company Name] will not tolerate any form of harassment, discrimination, or retaliation against any employee or individual associated with the company. The following types of conduct are strictly prohibited:

1. **Harassment**
Harassment refers to unwelcome and offensive conduct that is based on a protected characteristic or category. Harassment is unlawful under California's FEHA and other employment laws, and [Company Name] prohibits any conduct that:
	* Is unwelcome, unwanted, and harmful or intimidating.
	* Creates a hostile or offensive work environment, whether verbal, physical, or visual.

**Types of harassment include, but are not limited to:**

* + **Sexual Harassment:** Any unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature. Sexual harassment includes quid pro quo (conditioning employment benefits on sexual favors) or the creation of a hostile work environment through inappropriate comments, jokes, or conduct of a sexual nature. It also includes unwelcome behavior such as inappropriate touching, lewd remarks, sexually suggestive gestures, and the display of offensive materials.
	+ **Racial Harassment:** Derogatory comments, slurs, or jokes based on an individual’s race, color, or ethnicity.
	+ **Gender-Based Harassment:** Disparaging remarks, demeaning actions, or stereotypes based on gender or gender identity.
	+ **Religious Harassment:** Offensive remarks or actions about an individual’s religious beliefs or practices, or pressure to conform to or avoid religious practices.
	+ **Other Forms of Harassment:** Any harassment based on protected categories such as sexual orientation, disability, age, marital status, medical condition, national origin, veteran status, or any other status protected under California or federal law.

**Examples of Prohibited Harassment:**

* + Making offensive jokes or comments about race, gender, religion, or sexual orientation.
	+ Sending or displaying offensive emails, texts, or images.
	+ Physical harassment, including unwanted touching, blocking movement, or physically threatening actions.
	+ Insulting, demeaning, or humiliating remarks directed toward an individual because of their protected status.
	+ Offensive comments or behavior that creates an intimidating, hostile, or offensive work environment for an individual or group of employees.
1. **Discrimination**
Discrimination occurs when an employee is treated unfairly or unequally based on their protected characteristics. California’s FEHA prohibits discrimination based on the following protected categories:
	* Race, color, national origin, or ethnicity.
	* Gender, gender identity, or gender expression.
	* Sexual orientation.
	* Religion or religious beliefs.
	* Marital status, pregnancy, childbirth, or related medical conditions.
	* Age (40 years or older).
	* Physical or mental disability.
	* Military or veteran status.
	* Genetic information.
	* Ancestry or citizenship status.

**Examples of Discrimination:**

* + Denying a promotion, pay raise, or other benefits to an employee based on their protected characteristic (e.g., race, gender).
	+ Assigning less favorable job duties or creating inequitable working conditions based on an individual’s age or disability.
	+ Refusing to hire or terminating an employee based on their religious beliefs or sexual orientation.
1. **Retaliation**
[Company Name] strictly prohibits retaliation against any employee who engages in a protected activity, including:
	* Reporting incidents of harassment, discrimination, or other violations of this policy.
	* Filing a complaint with HR, management, or a government agency.
	* Participating in any investigation or legal proceedings related to discrimination or harassment.

Retaliation includes any adverse employment action taken against an employee for exercising their rights under this policy. This may include termination, demotion, denial of promotion, harassment, or other forms of punishment for reporting violations or participating in an investigation.

**Examples of Retaliation:**

* + Firing or demoting an employee after they file a complaint about workplace harassment.
	+ Reducing work hours, changing job duties, or reassigning an employee as punishment for reporting discrimination.
	+ Threatening or intimidating an employee for participating in an investigation or legal proceedings.

**Employee Responsibilities**

1. **Expected Behavior**
All employees are responsible for ensuring that their behavior aligns with [Company Name]’s standards of respect, professionalism, and inclusivity. This means treating all colleagues, supervisors, clients, and business partners with courtesy, regardless of their background or personal characteristics.

**Employees must:**

* + Refrain from engaging in any form of harassment, discrimination, or retaliation.
	+ Avoid behaviors that create a hostile, intimidating, or uncomfortable work environment.
	+ Speak out against discriminatory or harassing conduct when they witness it.
1. **Reporting Violations**
If an employee experiences or witnesses any form of harassment, discrimination, or retaliation, they are encouraged to report the incident immediately. Reporting should be done through any of the following channels:
	* Contact Human Resources (HR) to file a formal complaint.
	* Report the incident to a manager or supervisor.
	* Utilize any confidential reporting systems established by [Company Name].

Employees have the right to report incidents without fear of retaliation, and [Company Name] will take every report seriously.

**Investigation Process**

Upon receiving a report of harassment, discrimination, or retaliation, [Company Name] will take the following steps to ensure a thorough and prompt investigation:

1. **Confidentiality:**
To the extent possible, [Company Name] will handle all reports with confidentiality. Information will only be disclosed as necessary to conduct a fair investigation and resolve the matter.
2. **Fair and Impartial Investigation:**
An impartial investigator, typically from HR or a designated external party, will conduct an investigation into the reported incident. Both the person making the complaint and the individual accused will have the opportunity to present their side of the story, along with any evidence or witnesses.
3. **Timely Resolution:**
Investigations will be completed in a timely manner, and the company will take appropriate corrective action based on the findings of the investigation. This may include disciplinary measures up to and including termination.

**Consequences for Violations**

Any employee found to have violated the Zero Tolerance Policy by engaging in harassment, discrimination, or retaliation will face disciplinary action. Depending on the severity of the violation, consequences may include:

* Verbal or written warnings.
* Mandatory retraining on harassment and discrimination prevention.
* Suspension.
* Demotion.
* Termination of employment.

[Company Name] may also take additional steps to protect the affected employee, such as changing work assignments or offering additional support services. In cases of illegal conduct, the company may refer the matter to law enforcement or pursue legal action.

**Reporting Harassment**
Employees are encouraged to report any incidents of harassment or discrimination to HR. All reports will be investigated in accordance with California law, and retaliation against reporters will not be tolerated.

[Link to FEHA: <https://www.dfeh.ca.gov/>]

**13. Leaves and Protections**

**California Family Rights Act (CFRA)**
Employees are entitled to up to 12 weeks of unpaid leave under the California Family Rights Act (CFRA) for specific medical or family-related reasons. This leave may run concurrently with FMLA, depending on the circumstances.

**Paid Sick Leave (PSL)**
All California employers are required to provide a minimum of 40 hours or 5 days of paid sick leave annually, which begins accruing on the first day of employment.

**Pregnancy Disability Leave (PDL)**
If [Company Name] employs **5 or more employees**, employees may take up to 4 months of unpaid pregnancy disability leave (PDL) if they are unable to work due to pregnancy, childbirth, or a related medical condition.

**Lactation Accommodation Policy (California Compliance)**

[Company Name] is committed to supporting the health and well-being of nursing employees by providing reasonable accommodations for lactation needs, in compliance with California state laws (California Labor Code Sections 1030-1034). This policy outlines the rights of employees who need to express breast milk during work hours and the accommodations provided to ensure a comfortable and private space for this purpose.

**Lactation Breaks**

1. **Break Time for Lactation**
Nursing employees are entitled to take reasonable break time to express breast milk for their infant child. These lactation breaks may run concurrently with the employee’s already provided meal and rest breaks. If additional time is needed beyond the standard break time, it will be provided, though this additional time may be unpaid in accordance with California law.
2. **Frequency and Duration of Breaks**
The frequency and duration of lactation breaks may vary depending on the needs of the individual. Employees should notify their supervisor or HR regarding their schedule and any adjustments needed to their regular work schedule to accommodate lactation breaks.

**Lactation Room/Space**

1. **Private Space Requirements**
[Company Name] will provide a private, clean, and secure space for employees to express breast milk. The space will:
	* Be free from intrusion and shielded from view.
	* Not be a bathroom.
	* Be equipped with seating, a flat surface to place a breast pump, and access to electricity or a charging station for the pump.
	* Be located near the employees’ work area, if feasible.
2. **Access to Water and Refrigeration**
Nursing employees will have access to a nearby sink with running water for washing hands and cleaning pump equipment. The Company will also provide access to a refrigerator or other suitable cold storage for storing expressed breast milk.
3. **Temporary or Multi-Use Spaces**
If a dedicated lactation room is not available, the Company will provide a temporary space that meets the privacy and cleanliness requirements, and it will not be used for other purposes while being utilized for lactation.

**Requesting Lactation Accommodations**

1. **How to Request**
Employees who need lactation accommodations should contact Human Resources (HR) or their direct supervisor to request the accommodation. The request should be made in advance, if possible, to ensure that suitable arrangements can be made.
2. **No Retaliation**
[Company Name] prohibits retaliation against employees who request or use lactation accommodations. Any employee who believes they have been denied their rights under this policy or retaliated against for making a request should immediately report the issue to HR.

Link to CFRA: [CFRA](https://calcivilrights.ca.gov/family-medical-pregnancy-leave/)
Link to California Paid Sick Leave: [PSL](https://www.dir.ca.gov/dlse/paid_sick_leave.htm)
Link to Pregnancy Disability Leave: [PDL](https://edd.ca.gov/en/Disability/FAQ_DI_Pregnancy)

**ADA and Accommodations**

[Company Name] is committed to complying with the Americans with Disabilities Act (ADA) and applicable state and local disability laws. We are dedicated to providing equal employment opportunities to qualified individuals with disabilities and will make reasonable accommodations to enable employees to perform essential job functions, unless doing so would result in undue hardship.

Employees who require an accommodation should notify Human Resources. The Company will engage in an interactive process to assess the request and determine appropriate accommodations. No employee will be retaliated against for requesting or utilizing accommodation.

**14. Family and Medical Leave Act (FMLA)**

**Overview**
The Family and Medical Leave Act (FMLA) is a federal law that applies to employers with **50 or more employees**. FMLA provides eligible employees with up to 12 weeks of unpaid, job-protected leave for qualifying family and medical reasons, including:

* The birth or adoption of a child
* Caring for a spouse, child, or parent with a serious health condition
* A personal serious health condition that prevents the employee from performing their job
* Any qualifying exigency arising from a family member’s military service

**Eligibility**
Employees who have worked for [Company Name] for at least 12 months and have completed at least 1,250 hours of work in the previous 12 months are eligible for FMLA leave.

**Job Protection**
Upon returning from FMLA leave, employees are generally entitled to return to their original position or an equivalent one with the same pay, benefits, and working conditions.

Link to FMLA: <https://www.dol.gov/agencies/whd/fmla>

**15. Progressive Discipline Policy**

**Purpose**

[Company Name] is committed to maintaining a fair and productive workplace while ensuring compliance with California employment laws. This **Progressive Discipline Policy** provides a structured approach to address employee behavior or performance issues, while giving employees the opportunity to correct deficiencies. The goal is to provide clear expectations and consistent consequences for workplace violations. However, the company reserves the right to bypass steps depending on the severity of the violation or situation.

**At-Will Employment**

In compliance with California’s at-will employment doctrine, this Progressive Discipline Policy does not alter the at-will status of employment. Both the employee and [Company Name] have the right to terminate employment at any time, with or without cause or notice, except where otherwise prohibited by law (e.g., discrimination or retaliation). This policy serves as a guideline for addressing workplace issues but does not guarantee any specific sequence of disciplinary action.

**Scope**

This policy applies to all employees of [Company Name] and covers conduct and performance issues related to company policies, workplace behavior, and job performance.

**Disciplinary Procedures**

[Company Name] uses a four-step progressive discipline process to address employee issues, with the intention of correcting the problem and fostering a fair and supportive work environment. However, serious misconduct may result in skipping steps, up to immediate termination.

**1. Verbal Warning**

A **verbal warning** is the first step in addressing minor conduct or performance issues. This provides the employee with an opportunity to correct the problem informally.

**Procedure for Verbal Warnings:**

* A supervisor or manager will meet with the employee to discuss the issue and the required corrective action.
* The discussion will be documented and stored in the employee’s personnel file, noting the specific problem and expectations for improvement.
* The verbal warning should include clear instructions and a timeframe for resolving the issue.

**Examples of issues that may result in a verbal warning:**

* Minor attendance issues (e.g., occasional tardiness).
* Failure to meet performance expectations.
* Minor policy violations (e.g., misuse of office resources).

**2. Written Warning**

A **written warning** is issued if the employee fails to improve after a verbal warning or if the issue is more serious.

**Procedure for Written Warnings:**

* A formal meeting will be held with the employee, supervisor, and possibly HR to address the continued or more serious issue.
* A written document will outline the specific problem, prior verbal warning (if applicable), and the corrective action required.
* The employee will be asked to sign the written warning as acknowledgment of receipt (not necessarily agreement). A copy will be placed in the employee’s personnel file.
* The written warning will specify an action plan and timeframe for improvement.

**Examples of issues that may result in a written warning:**

* Repeated tardiness or absenteeism.
* Failure to improve performance after a verbal warning.
* Moderate policy violations (e.g., misuse of company equipment or work time).

**3. Final Warning**

A **final warning** is given when an employee’s behavior or performance fails to improve after a written warning, or in cases of significant misconduct.

**Procedure for Final Warnings:**

* The final warning will outline the employee’s failure to meet expectations despite previous warnings.
* The warning will be delivered in writing, with clear communication that further disciplinary actions, including termination, will occur if the issue is not corrected.
* The employee will be placed on probation or given a last-chance agreement that outlines the final opportunity to correct behavior.

**Examples of issues that may result in a final warning:**

* Continued poor performance after multiple warnings.
* Serious but non-terminable offenses (e.g., inappropriate behavior toward colleagues).
* Failure to follow safety protocols.

**4. Termination**

If the employee does not improve after the final warning or commits a serious violation of company policy, the employee will be subject to **termination** of employment.

**Procedure for Termination:**

* Termination decisions are made after consultation with HR and management. In certain cases, legal counsel may be involved to ensure compliance with California laws.
* The employee will be informed of the decision in a termination meeting and will be provided with a termination letter that includes the reasons for termination and any severance or benefits information.
* The employee will be instructed on the return of company property and provided with information on final paycheck and accrued benefits in compliance with California labor laws.

**Examples of issues that may result in immediate termination:**

* Gross misconduct, such as theft, fraud, workplace violence, or harassment.
* Continued failure to improve after multiple warnings.
* Severe policy violations, such as endangering the health and safety of others or the company.

**Bypassing Steps**

While [Company Name] generally follows the progressive discipline process, the company reserves the right to bypass steps depending on the seriousness of the offense. This includes skipping directly to termination for egregious misconduct, such as:

* Gross misconduct (e.g., theft, workplace violence, harassment).
* Violations of state or federal laws (e.g., discrimination, retaliation, safety violations).
* Any action that significantly damages the company’s reputation or threatens business operations.
1. **Rest Breaks, Meal Breaks, and Wage & Hour Laws**
No employee will be disciplined for taking legally required meal and rest breaks. In compliance with California labor laws, employees must be given at least one 30-minute meal break for every five hours worked, and a 10-minute rest break for every four hours worked. If these breaks are not provided, the company will ensure that employees are compensated appropriately in accordance with wage and hour laws.

**Right to Appeal**

Employees have the right to appeal any disciplinary action by submitting a written appeal to HR or upper management. The appeal must be submitted within five business days of the disciplinary action and will be reviewed in accordance with company policy. Appeals should include any evidence or explanation the employee believes relevant to their case.

### **16. Management Rights Clause**

To ensure the efficient and effective operation of the Club, management retains the authority to schedule work hours, oversee business operations, and direct the workforce as needed.

In the event of staffing challenges, employees may be temporarily reassigned to different departments or given additional job duties. Employees are expected to accept and perform these alternate assignments and responsibilities as part of their role within the organization.

**17. Performance Reviews and Evaluations**

Throughout employment with the Company, employees’ job performance may be periodically reviewed and evaluated. Typically, these evaluations involve the employee and their immediate supervisor and are conducted annually, though this may vary. The purpose of these reviews is to assess various factors, including but not limited to job performance, attitude, attendance, and the employee’s contribution to the success of the Company. It is important to note that a performance evaluation is not necessarily linked to any salary increase; rather, it serves as an opportunity to discuss relevant job-related matters.

**18. Employee Acknowledgement**

This Handbook provides a general overview of some of the company’s policies, benefits, and procedures. Employees with questions or concerns are encouraged to speak with their supervisor for further clarification.

As circumstances evolve and work conditions change, management reserves the right to add, modify, or remove any sections of this Handbook, except for the “at-will” employment policy. The Company will make every effort to notify employees of any updates or revisions in a timely manner.

The policies and procedures outlined in this Handbook take precedence over any previous policies or procedures that may conflict with the information provided here.

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_acknowledge that I have received and read the [Company Name] Employee Handbook, which includes California-specific labor and employment policies. I understand that it is my responsibility to adhere to the policies and procedures contained in this handbook.

**Signature:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
**Date:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_