

WE HEART ACADEMY

Employee Handbook

2019

TABLE OF CONTENTS

Employment Policies.....4

 Introductory Statement.....4

 Right to Revise4

 At-Will Employment Status.....4

 Equal Employment Opportunity.....5

 Unlawful Harassment6

Employment Status8

 Non-exempt Employees8

 Temporary Employees.....8

 Inactive Status.....8

Leaves of Absence.....9

 Jury Duty and Witness Leave9

 Time Off for Voting.....9

 Victims of Crime Leave9

 Military Leave10

 Paid Family Leave10

Benefits12

 Sick Leave12

 Insurance Benefits.....13

 Disability Insurance13

 Unemployment Compensation13

 Social Security13

 Workers' Compensation13

Management14

 Names and Addresses14

 Grievances and Appeals.....14

 Personnel Records.....15

 Performance Evaluations.....15

 Promotions and Pay Increases15

Employee Conduct.....16

 Crime Prevention and Corrections16

 Business Conduct and Ethics.....16

 Non-Fraternization.....16

 Nepotism16

 Confidentiality.....17

 Telephones17

 Smoking.....18

 Dress Code and Other Personal Standards18

 Drug and Alcohol Abuse18

 Prohibited Conduct19

Punctuality and Attendance.....20

Wages21

 Expense Reimbursement.....21

 Timekeeping Requirements21

 Payment of Wages21

 Meal and Rest Periods.....21

Safety and Health.....23

 Health and Safety.....23

 Security Regulations.....23

Termination25

 Involuntary Termination and Progressive Discipline.....25

 Voluntary Resignation25

Confirmation of Receipt26

Employment Policies

Introductory Statement

Welcome! As an employee of We Heart Art Academy (The Academy, The Organization), you are an important member of a team effort. We hope that you will find your position with The Academy rewarding, challenging, and productive.

Because our success depends upon the dedication of our employees, we are highly selective in choosing new members of our team. We look to you and the other employees to contribute to the success of the Organization.

This employee handbook is intended to explain the terms and conditions of employment of all employees. This handbook summarizes the policies and practices in effect at the time of publication. This handbook supersedes all previously issued handbooks and any policy or benefit statements or memoranda that are inconsistent with the policies described here. Management will be happy to answer any questions you may have.

Right to Revise

This employee handbook contains the employment policies and practices of The Academy in effect at the time of publication. All previously issued handbooks and any inconsistent policy statements or memoranda are superseded.

The Academy reserves the right to revise, modify, delete, or add to any and all policies, procedures, work rules, or benefits stated in this handbook or in any other document, except for the policy of at-will employment. However, any such changes must be in writing and must be signed by Management.

Any written changes to this handbook will be distributed to all employees so that employees will be aware of the new policies or procedures. No oral statements or representations can in any way alter the provisions of this handbook.

This handbook sets forth the entire agreement between you and The Academy as to the duration of employment and the circumstances under which employment may be terminated. Nothing in this employee handbook or in any other human resource-related document, creates or is intended to create a promise or representation of continued employment for any employee.

At-Will Employment Status

The Academy personnel are employed on an at-will basis. Employment at-will may be terminated with or without cause and with or without advance notice at any time by the employee or the Organization. Nothing in this handbook shall limit the right to terminate at-will employment. No person has any

authority to enter into an agreement for employment for any specified period of time or to make an agreement for employment on other than at-will terms. Only Management has the authority to make any such agreement, which is binding only if it is in writing.

Equal Employment Opportunity

The Academy is an equal opportunity employer and makes employment decisions on the basis of merit. We want to have the best available persons in every job. Organization policy prohibits unlawful discrimination based on race, color, creed, gender (including gender identity and gender expression), religion (all aspects of religious beliefs, observance or practice, including religious dress or grooming practices) marital status, registered domestic partner status, age, national origin, ancestry, physical or mental disability, medical condition (including cancer or a record or history of cancer, and genetic characteristics), sex (including pregnancy, childbirth, breastfeeding or related medical condition), genetic information, sexual orientation, military and veteran status or any other consideration made unlawful by federal, state, or local laws. It also prohibits unlawful discrimination based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics.

Pay discrimination between employees of the opposite sex performing substantially similar work, as defined by the California Fair Pay Act and federal law, is prohibited. Pay differentials may be valid in certain situations defined by law. Employees will not be retaliated against for inquiring about or discussing wages. However, the Organization is not obligated to disclose the wages of other employees.

Discrimination can also include failing to reasonably accommodate religious practices or qualified individuals with disabilities where the accommodation does not pose an undue hardship. All such discrimination is unlawful.

The Academy is committed to compliance with all applicable laws providing equal employment opportunities. This commitment applies to all persons involved in Organization operations. The Academy prohibits unlawful discrimination against any job applicant, employee or unpaid intern by any employee of the Organization, including Management and coworkers.

If you believe you have been subjected to any form of unlawful discrimination, submit a complaint to Management. Your complaint should be specific and should include the names of the individuals involved and the names of any witnesses. If you need assistance with your complaint, or if you prefer to make a complaint in person, contact Management. The Organization will immediately undertake an effective, thorough, and objective investigation and attempt to resolve the situation.

If the Organization determines that unlawful discrimination has occurred, effective remedial action will be taken commensurate with the severity of the offense. Appropriate action also will be taken to deter any future discrimination.

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, The Academy will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship would result.

Any job applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact Management and discuss the need for an accommodation. The Academy will engage in an interactive process with the employee to identify possible accommodations, if any that will help the applicant or employee perform the job. An applicant, employee or unpaid intern who requires an accommodation of a religious belief or practice (including religious dress and grooming practices, such as religious clothing or hairstyles) should also contact Management and discuss the need for an accommodation. If the accommodation is reasonable and will not impose an undue hardship, The Academy will make the accommodation.

The Academy will not retaliate against you for bringing a complaint of discrimination, participating in the investigation of any complaint or requesting a reasonable accommodation and will not knowingly tolerate or permit retaliation by management, employees or co-workers.

Unlawful Harassment

The Academy is committed to providing a work environment free of harassment, disrespectful or other unprofessional conduct. Organization policy prohibits conduct that is disrespectful, unprofessional as well as harassment based on sex (including pregnancy, childbirth, breastfeeding or related medical conditions), race, religion (including religious dress and grooming practices), color, gender (including gender identity and gender expression), national, ancestry, physical or mental disability, medical condition, genetic information, marital status, registered domestic partner status, age, sexual orientation, military and veteran status or any other basis protected by federal, state or local law or ordinance or regulation. It also prohibits harassment, disrespectful or unprofessional conduct based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics. All such conduct violates organization policy. The Organization's anti-harassment policy applies to all persons involved in the operation of the Organization and prohibits harassment, disrespectful or unprofessional conduct by any employee of The Academy, including Management as well as vendors, clients, independent contractors and any other persons. Applicants, employees, unpaid interns, volunteers and independent contractors are all protected from harassment.

Prohibited harassment, disrespectful or unprofessional conduct includes, but is not limited to, the following behavior:

- Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments;
- Visual displays such as derogatory and/or sexually-oriented posters, photography, cartoons, drawings or gestures;
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work because of sex, race or any other protected basis;
- Threats and demands to submit to sexual requests as a condition of continued employment, or to avoid some other loss and offers of employment benefits in return for sexual favors;
- Retaliation for reporting or threatening to report harassment; and
- Communication via electronic media of any type that includes any conduct that is prohibited by state

and/or federal law, or by organization policy.

Sexual harassment does not need to be motivated by sexual desire to be unlawful or to violate this policy. For example, hostile acts toward an employee because of his/her gender can amount to sexual harassment, regardless of whether the treatment is motivated by any sexual desire.

If you believe that you have been the subject of harassment or other prohibited conduct, bring your complaint to Management as soon as possible after the incident. You will be asked to provide details of the incident or incidents, names of individuals involved and names of any witnesses. It would be best to communicate your complaint in writing, but this is not mandatory. The Organization will immediately undertake an effective, thorough and objective investigation of the allegations.

If the Organization determines that harassment or other prohibited conduct has occurred, effective remedial action will be taken in accordance with the circumstances involved. Any employee determined by The Academy to be responsible for harassment or other prohibited conduct will be subject to appropriate disciplinary action, up to, and including termination. Management will advise all parties concerned of the results of the investigation. The Academy will not retaliate against you for filing a complaint and will not tolerate or permit retaliation by management, employees or co-workers.

The Organization encourages all individuals to report any incidents of harassment or other prohibited conduct forbidden by this policy immediately so that complaints can be quickly and fairly resolved. You also should be aware that the Federal Equal Employment Opportunity Commission and the California Department of Fair Employment and Housing investigate and prosecute complaints of prohibited harassment in employment. If you think you have been harassed or that you have been retaliated against for resisting or complaining, you may file a complaint with the appropriate agency. The nearest office is listed in the telephone book or can be found by visiting the agency websites at www.dfeh.ca.gov and www.eeoc.gov.

Employment Status

Non-Exempt Employees

Non-exempt employees are eligible for overtime compensation in accordance with State and Federal regulations.

Temporary Employees

Temporary employees are those whose job assignments are related to unanticipated or peak demands and do not have a normally scheduled workweek. Temporary employees are paid on an hourly basis.

Inactive Status

Employees who are on any type of leave of absence, work-related or non-work-related, that exceeds any protected State or Federal leave of absence will be placed on inactive status.

Leaves of Absence

Jury Duty and Witness Leave

The Academy encourages employees to serve on jury duty when called, however such time off is unpaid. You should notify Management of the need for time off for jury duty as soon as a notice or summons from the court is received. You may be requested to provide written verification from the court clerk of performance of jury service.

Time Off for Voting

If an employee does not have sufficient time outside of working hours to vote in an official state-sanctioned election, the employee may take off enough working time to vote. Such time off shall be taken at the beginning or the end of the regular working shift, whichever allows for more free time, and the time taken off shall be combined with the voting time available outside of working hours to a maximum of two hours combined. Under these circumstances, an employee will be allowed a maximum of two hours of time off during an election day without loss of pay. When possible, an employee requesting time off to vote shall give Management at least two days' notice.

Victims of Crime Leave

California employees who are a victim or who is the family member of a victim of a violent felony or serious felony may take time off from work under the following circumstances:

- The crime must be a violent or serious felony, as defined by law; and
- You must be the victim of a crime, or you must be 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.

An immediate family member is defined as: a spouse, child, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father or stepfather.

A registered domestic partner means a domestic partner who is registered in accordance with California State law.

The absence from work must be in order to attend judicial proceedings related to a crime listed above.

Before you are absent for such a reason, you must provide documentation of the scheduled proceeding. Such notice is typically given to the victim of the crime by a court or government agency setting the hearing, a district attorney or prosecuting attorney's office or a victim/witness office.

If advance notice is not possible, you must provide appropriate documentation within a reasonable time after the absence.

Any absence from work to attend judicial proceedings will be unpaid.

Military Leave

Leave without pay is provided to you when you enter military service of the Armed Forces of the United States or are in the Armed Forces Reserves. The Academy will make adjustments to your pay considering your military service in accordance with applicable State and Federal laws. You are afforded reemployment rights and retain full seniority benefits for all prior service upon reemployment in accordance with the Uniformed Services Employment and Reemployment Rights Act. You need to provide your military service orders to Management for review prior to commencement of the leave.

The Uniformed Services Employment and Re-employment Rights Act (USERRA) mandates that while an individual is performing military service for the United States, he/she is deemed to be on a furlough or leave of absence and is entitled to the rights accorded other employees on non-military leaves of absence. Under USERRA, employees are allowed, but not required, to use accrued vacation while performing military duty. Employees performing military duty of more than 30 days may elect to continue employer-sponsored health insurance for up to 24 months. For military service of less than 31 days, health insurance coverage is provided as if the employee had remained employed. Any employee called to active military duty must provide a copy of his/her service orders to Management for review prior to commencement of the leave.

Reinstatement

Returning service members must be re-employed in the job that they would have retained had they not been absent for military service, with the same seniority, status and pay, as well as other rights and benefits determined by seniority.

The period within which an employee must apply for reinstatement is based upon the length of military service. If the service was less than 31 days, the employee must return on the next regularly scheduled workday after release from service (taking into account travel time and a minimum of eight hours rest time). If the service was more than 30 days but less than 181 days, the employee must submit an application for re-employment within 14 days of release from service. For a service longer than 180 days, the employee must submit an application for re-employment within 90 days of release from service.

Paid Family Leave

California employees may be eligible for Paid Family Leave (PFL) wage replacement benefits, which are funded through payroll deductions and coordinated through the Employment Development Department. PFL provides limited compensation for up to six weeks after an unpaid, seven-day waiting period when an employee needs to take leave from work to care for a parent, child, spouse or registered domestic partner who is seriously ill, or for a working parent who wants time to bond with his or her

newborn, foster child or newly adopted child. The PFL program does not provide employees with a right to a leave of absence; it is limited to a state-mandated wage replacement benefit.

Benefits

Sick Leave

Employees begin accruing paid sick leave at the commencement of employment. Sick leave is accrued at the rate of one (1) hour per every 30 hours worked, up to a maximum of 48 hours. Sick leave is not accrued during a period of layoff of service or leave of absence. Any balance of unused sick leave may be carried over to the next year until the maximum balance of 48 hours of sick leave is accrued.

Employees may begin using accrued sick leave after completing 90 days of employment. Upon written or oral request, employees may use sick leave for the following purposes:

- (1) Diagnosis, care, or treatment of an existing health condition, or preventive care for, an employee or an employee's family member; or
- (2) For an employee who is a victim of domestic violence, sexual assault, or stalking.

"Family member" means any of the following:

- (1) A child, which means a biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis, regardless of age or dependency status.
- (2) A biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child.
- (3) A spouse.
- (4) A registered domestic partner.
- (5) A grandparent.
- (6) A grandchild.
- (7) A sibling.

If the need for paid sick leave is foreseeable, the employee shall provide reasonable advance notification. If the need for paid sick leave is unforeseeable, the employee shall provide notice of the need for the leave as soon as practicable.

Employees may use up to 24 hours of sick leave in an employment year. Employees may use sick leave in minimum increments of two (2) hours. Non-exempt employees who take time off due to illness or injury of less than two (2) hours may be docked for time off without pay.

Unused sick leave will not be paid out upon termination.

Insurance Benefits

Disability Insurance

Each California employee contributes through payroll tax to California's state disability insurance programs. Disability insurance is mandated by the California Unemployment Insurance Code and administered by the Employment Development Department. Disability insurance is payable when you cannot work because of illness or injury not caused by employment at the Organization. An additional tax funds the State's Paid Family Leave program, and provides partial wage replacement for absences related to care of a family member, or bonding with a new child. Specific rules and regulations governing disability are available from Management.

Unemployment Compensation

The Academy contributes to the various State Unemployment Insurance Funds on behalf of its employees.

Social Security

Social Security is an important part of every employee's retirement benefit. The Academy pays a matching contribution to each employee's Social Security taxes.

Workers' Compensation

You are protected by the Organization's workers' compensation insurance policy while employed by The Academy, at no cost to you. The policy covers you in case of a work-related injury or illness.

Management

Names and Addresses

The Academy is required by law to keep current all employees' names and addresses. Employees are responsible for notifying the Organization in the event of a name or address change.

Conflict Resolution / Grievances and Appeals

Suggestions for improving The Academy are always welcome. At some time, you may have a grievance, suggestion, or question about your job, your working conditions, or the treatment you are receiving. Your good-faith complaints, questions, and suggestions also are of concern to the Organization. Please feel free to discuss your concerns with Management.

The We Heart Art Academy instructors have access to correctional facilities only as long as they follow prison rules and procedures. Breach of any instruction is grounds for exclusion from the facility. In the event that a rule seems arbitrary or punitive, **asking** for the reason, suggesting an alternative and/or calling this office for some creative problem solving is recommended. In the event an instruction or direction is so offensive you do not feel that you can comply, leave the premises if you are there, or do not go to the facility until there has been a resolution.

To insure a safe and secure work environment you are specifically required to follow the instructions of the on-site coordinator.

In the event of a disagreement with the on-site coordinator, artist responsibilities include:

- informal resolution of difficulty by dialogue with the person
- **and** a phone call detailing circumstances to the Academy.

(If you have difficulty talking with the on-site person, you especially need to call the Academy)

If there is not resolution at the verbal level,

- provide a written record detailing disagreement to the Academy and send to info@weheartart.academy requesting resolution which will be shared with the institution

At this point, We Heart Art Academy will assist in scheduling a meeting with the on-site coordinator, attended by a CDC supervisor and an Academy administrator.

Personnel Records

You have a right to inspect certain documents in your personnel file, as provided by law, in the presence of Management at a mutually convenient time. To request to review or receive a copy of your file, please contact Management.

The Academy will restrict disclosure of your personnel file to authorized individuals within the Organization. Any request for information contained in personnel files must be directed to Management. Only Management is authorized to release information about current or former employees. Disclosure of personnel information to outside sources will be limited. However, The Academy will cooperate with requests from authorized law enforcement or local, State, or Federal agencies conducting official investigations and as otherwise legally required.

Performance Evaluations

Management and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal evaluations will be conducted at the discretion of Management. These evaluations will be conducted to provide both Management and employee the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

Promotion and Pay Increases

Terms of employment with the Academy is directed in large part by contracts with our clients. As such, promotions and pay increases are primarily directed by our clients.

Employee Conduct

Crime Prevention and Corrections

Employees are required to adhere to State of California Code of Regulations Title 15 regarding crime prevention and corrections. This information is accessible via the following link:
https://www.cdcr.ca.gov/Regulations/Adult_Operations/docs/Title15_2018.pdf.

Business Conduct and Ethics

The successful business operation and reputation of The Academy is built upon the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as regard for the highest standards of conduct and personal integrity. The Academy will comply with all applicable laws and regulations and expects its management and employees to conduct business accordingly.

The continued success of The Academy is dependent upon our client's trust and we are dedicated to preserving that trust. Employees owe a duty to the Organization and its clients to act in a way that will merit the continued trust and confidence of the public.

Institutions and Inmates are among our organization's most valuable assets. Every single employee represents The Academy to these institutions and inmates, and the public. The way we do our jobs project an image of our entire organization. Nothing is more important than being courteous, friendly, helpful, and prompt in your attention.

The use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with Management for advice and consultation.

Non-Fraternization

Employees are prohibited from engaging in any type of relationship other than strictly professional with an inmate or an inmate's family during their employment with The Academy.

Nepotism

The employment of relatives can cause various problems including but not limited to charges of favoritism, conflicts of interest, family discord and scheduling conflicts that may work to the disadvantage of both the agency and its employees.

For the purposes of this policy the term “relative” shall include the following relationships: relationships established by blood, marriage or legal action. Examples include the employee’s: spouse, mother, father, son, daughter, sister, brother, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, stepparent, stepchild, aunt, uncle, nephew, niece, grandparent, grandson or cousin. The term also includes domestic partners (a person with whom the employee’s life is interdependent and who shares a common residence) and, a daughter or son of an employee’s domestic partner.

It is the goal of The Academy to avoid creating or maintaining circumstances in which the appearance or possibility of favoritism, conflicts or management disruptions exist. The Academy may allow existing personal relationships to be maintained or employ individuals with personal relationships to current employees under the following circumstances:

- Individuals may not work under the supervision of the same manager;
- They may not create a supervisor/subordinate relationship with a family member;
- They may not supervise or evaluate a family member;
- The relationship will not create an adverse impact on work productivity or performance;
- The relationship may not create an actual or perceived conflict-of-interest;

No personal employee relationship covered by this policy will be allowed to be maintained, regardless of the positions involved, if it creates a disruption or potential disruption in the work environment, creates an actual or perceived conflict of interest or is prohibited by any legal or regulatory mandate.

This policy must be considered when hiring, promoting or transferring any employee. Should relationships addressed within this policy be identified with either candidates for employment or, current employees the matter should be immediately reported to Management and a determination will be made whether the relationship is subject to the Organization’s Nepotism policy.

Confidentiality

Each employee is responsible for safeguarding the confidential information obtained during employment.

In the course of your work, you may have access to confidential information regarding The Academy, Institutions and Inmates. You have a responsibility to prevent revealing or divulging any information unless it is necessary for you to do so in the performance of your duties. Access to confidential information should be on a “need-to-know” basis and must be authorized by Management. Any breach of this policy will not be tolerated and legal action may be taken by the Organization.

Telephones

While you are at a client's site, you are expected to perform your job duties and responsibilities. Cell phones are strictly prohibited while on-site at Institutions.

Smoking

Employees are expected to obey all smoking regulations as required by the State of California and the Institution. An employee who violates this policy may be subject to disciplinary action up to and including termination.

Dress Code and Other Personal Standards

While on institution grounds, employees shall be professionally and appropriately dressed in clothing distinct from that worn by inmates at the institution. Specifically, blue denim pants and blue chambray shirts, orange/red/yellow/white/chartreuse jumpsuits and/or yellow rainwear shall not be worn onto institution grounds, as this is inmate attire. Employees who are deemed to be inappropriately dressed or groomed may be sent home. Such employees will not be compensated for time away from work. Further, refusal to comply with organization policy may be grounds for disciplinary action, up to and including discharge.

Drug and Alcohol Abuse

The Academy is concerned about the use of alcohol, illegal drugs, or controlled substances as it affects the workplace. Use of these substances, whether on or off the job can detract from an employee's work performance, efficiency, safety, and health, and therefore seriously impair the employee's value to The Academy. In addition, the use or possession of these substances on the job constitutes a potential danger to the welfare and safety of other employees and exposes the Organization to the risks of property loss or damage, or injury to other persons.

Furthermore, the use of prescription drugs and/or over-the-counter drugs also may affect an employee's job performance and may seriously impair the employee's value to the Organization.

The following rules and standards of conduct apply to all employees either on Organization property or during the workday (including meals and rest periods). Behavior that violates Organization policy includes:

- Possession or use of an illegal or controlled substance, or being under the influence of an illegal or controlled substance while on the job;

- Distribution, sale, or purchase of an illegal or controlled substance while on the job.

Violation of these rules and standards of conduct will not be tolerated. The Academy also may bring the matter to the attention of appropriate law enforcement authorities.

In order to enforce this policy, The Academy reserves the right to conduct searches of Organization property or employees and/or their personal property, and to implement other measures, including testing for reasonable suspicion to deter and detect abuse of this policy.

An employee's conviction on a charge of illegal sale or possession of any controlled substance while off Organization property will not be tolerated because such conduct, even though off duty, reflects adversely on The Academy. In addition, the Organization must keep people who sell or possess controlled substances off Organization premises in order to keep the controlled substances themselves off the premises.

Any employee who is using prescription or over-the-counter drugs that may impair the employee's ability to safely perform the job, or affect the safety or well-being of others, must notify Management of such use immediately before starting or resuming work.

Prohibited Conduct

In order to assure orderly operations and provide the best possible work environment, The Academy expects employees to follow rules of conduct that will protect the interests and safety of personnel. It is not possible to list all the forms of behavior that are considered unacceptable in the workplace, but the following are examples of infractions of rules of conduct that may result in disciplinary action, including suspension, demotion, or termination of employment.

- Falsifying records
- Recording another employee's work time
- Theft or careless/deliberate damage of property
- Removing property without authorization
- Unauthorized use of equipment or facilities
- Working under the influence of alcohol
- Possession, sale or transfer of alcohol or drugs
- Creating a disturbance during work hours or on-site
- Insubordination
- Failure to notify of inability to work
- Any unreported absence
- Failure to obtain permission to leave work during work hours
- Failure to observe working schedules
- Abuse of sick leave
- Failure to provide required physician's certificate
- Sleeping on the job
- Making or accepting excessive personal phone calls
- Working unauthorized overtime or refusing assigned overtime
- Extreme or inappropriate dress or hairstyle during work hours
- Violation of health, safety or security procedures
- Any fraudulent act or breach of trust

In addition, our clients require all employees be made aware of the following:

- Persons who are not employed by CDCR, but are engaged in work at any institution/facility or camp must observe and abide by all laws, rules and regulations governing the conduct of their behavior in associating with prison inmates. Failure to comply with these guidelines may lead to expulsion from CDCR institutions/facilities or camps.
- CDCR does not recognize hostages for bargaining purposes. CDCR has a “NO HOSTAGE” policy and all prison inmates, visitors, and employees shall be made aware of this.
- All persons entering onto institution/facility or camp grounds consent to search of their person, property or vehicle at any time. Refusal by individuals to submit to a search of their person, property, or vehicle may be cause for denial of access to the premises.
- Persons normally permitted to enter an institution/facility or camp may be barred, for cause, by the CDCR Director, Warden, and/or Regional Parole Administrator.
- It is illegal for an individual who has been previously convicted of a felony offense to enter into CDCR institutions/facilities or camps without the prior approval of the Warden. It is also illegal for an individual to enter onto these premises for unauthorized purposes or to refuse to leave said premises when requested to do so. Failure to comply with this provision could lead to prosecution.
- Encouraging, and/or assisting prison inmates, to escape is a crime. It is illegal to bring firearms, deadly weapons, explosives, tear gas, drugs or drug paraphernalia on CDCR institutions/facilities or camp premises. It is illegal to give prison inmates firearms, explosives, alcoholic beverages, narcotics, or any drug or drug paraphernalia, including cocaine or marijuana.
- It is illegal to give or take letters from inmates without the authorization of the Warden. It is also illegal to give or receive any type of gift and/or gratuities from prison inmates.
- In an emergency situation the visiting program and other program activities may be suspended.
- For security reasons, visitors must not wear clothing that in any way resembles state issued prison inmate clothing (blue denim shirts, blue denim pants).
- Interviews with SPECIFIC INMATES are not permitted. Conspiring with an inmate to circumvent policy and/or regulations constitutes a rule violation that may result in appropriate legal action.

Punctuality and Attendance

The Academy expects you to report to work on a reliable and punctual basis. Absenteeism, early departures from work, and late arrivals burden on the Organization. If you cannot avoid being late to work or are unable to work as scheduled, you must call Management as soon as possible.

Excessive absenteeism may lead to corrective action, up to and including termination of employment. Continuing patterns of absences, early departures, or tardiness regardless of the exact number of days may warrant disciplinary action up to and including dismissal.

If you fail to report for work without any notification to Management, you may be considered to have abandoned your employment.

Wages

Expense Reimbursement

Unless otherwise agreed upon with Management, if for any reason you be called upon to spend any of your own money for any authorized expenditure (equipment and supplies), you will be reimbursed following prior written authorization by Management and submission of the “original” receipts.

Timekeeping Requirements

All employees are required to record their hours worked for payroll purposes. Employees must record their own time at the start and at the end of each work period, including before and after the lunch break. Employees also must record their time whenever they leave work for any reason other than The Academy business.

Payment of Wages

Program Operating Hours

Organization operating hours are 7:00 AM to 9:00 PM, seven days per week.

Paydays

The workweek begins at 12:01 a.m. Sunday and ends at midnight on Saturday. All employees are required to submit their completed timesheet every other Sunday by 11:59 pm. All employees of The Academy are paid bi-weekly for work performed during the previous two-week pay period Payday is every other Thursday. If a regular payday falls on a holiday, employees will be paid on the preceding workday.

Meal and Rest Periods

Employees who work less than 3 ½ hours are not entitled to any breaks or meal periods. Employees who work more than 3 ½ hours are entitled to the following:

All nonexempt employees will be provided an uninterrupted unpaid meal period of at least 30 minutes if you work more than five (5) hours in a workday. You must clock out for your meal period. You will be permitted a reasonable opportunity to take this meal period, and you will be relieved of all duty.

During your meal period, you are free to come and go as you please and are free to leave the premises. You are expected to return to work promptly at the end of any meal period.

If your total work period for the day is more than five hours per day but no more than six hours, you may waive the meal period. This cannot be done without the mutual consent of you and Management. You must discuss any such waiver with Management in advance.

The waiver must be in writing.

Timing of Meal Period

Your meal period will be provided no later than the end of your fifth hour of work. For example, if you begin work at 5:00 p.m., you must start your meal period by 10:59 p.m. (which is before the end of your fifth hour of work).

Your meal period will be scheduled by Management.

Safety and Health

Health and Safety

The health and safety of employees and others on organization are of critical concern to The Academy. We strive to attain the highest possible level of safety in all activities and operations. The Organization will comply with all health and safety laws applicable to our business and employees are required to follow our client's safety practices while on site.

Towards this end, The Academy must rely upon employees to ensure that work areas are kept safe and free of hazardous conditions. Employees should be conscientious about workplace safety, including proper operating methods and known dangerous conditions or hazards. You should report any unsafe conditions or potential hazards to Management immediately even if you believe you have corrected the problem.

Any workplace injury, accident, or illness must be reported to Management as soon as possible, regardless of the severity of the injury or accident. If medical attention is required immediately, the client or Management will assist employees in obtaining medical care, after which the details of the injury or accident must be reported.

Security Regulations

Unless otherwise directed by the entrance gate officer and/or the CDCR Contract Manager, employees shall enter the institution through the main entrance gate and park private and nonessential vehicles in the designated visitor's parking lot. Employees shall remove the keys from the ignition when outside the vehicle and all unattended vehicles shall be locked and secured while on institution grounds.

Any equipment owned by the client or organization and used for the provision of services shall be rendered temporarily inoperative by the organization when not in use by locking or other means unless specified otherwise.

In order to maintain institution safety and security, periodic fire prevention inspections and site searches may become necessary and the organization to furnish keys to institutional authorities to access all locked areas on the worksite. CDCR shall in no way be responsible for loss due to fire.

Due to security procedures, employees may be delayed at the institution vehicle/pedestrian gates and sally ports. Any loss of time checking in and out of the institution gates and sally ports shall be borne by the organization.

Employees shall observe all security rules and regulations and comply with all instructions given by

institutional authorities.

Electronic and communicative devices such as pagers, cell phones and cameras/micro cameras are not permitted on institution grounds.

Employees shall not cause undue interference with the operations of the institution.

No picketing is allowed on State property.

Termination

Involuntary Termination and Progressive Discipline

Violation of The Academy policies and rules may warrant disciplinary action. The Academy has established a system of progressive discipline that includes verbal warnings, written warnings, and suspension. The system is not formal and The Academy may, in its sole discretion, utilize whatever form of discipline is deemed appropriate under the circumstances, up to, and including, termination of employment. The Organization's policy of progressive discipline in no way limits or alters the at-will employment relationship.

Voluntary Resignation

Voluntary resignation results when an employee voluntarily quits his or her employment at The Academy, or fails to report to work without notice to, or approval by Management. The Academy request that employees provide a minimum of 30-days' notice prior when resigning their position. All Organization-owned property must be returned immediately upon termination of employment.

Confirmation of Receipt

I have received my copy of the We Heart Art Academy Employee Handbook. I understand and agree that it is my responsibility to read and familiarize myself with the policies and procedures contained in the handbook.

I understand that except for employment at-will status, any and all policies or practices can be changed at any time by the Organization. The Academy reserves the right to change my hours, wages, and working conditions at any time. I understand and agree that other than Management, no representative of the Organization has authority to enter into any agreement, express or implied, for employment for any specific period of time, or to make any agreement for employment other than at-will; only Management has the authority to make any such agreement and then only in writing, signed by Management.

I understand and agree that nothing in the Handbook creates or is intended to create a promise or representation of continued employment and that employment at The Academy is employment at-will; employment may be terminated at the will of either the Organization or myself. My signature certifies that I understand that the foregoing agreement on at-will status is the sole and entire agreement between The Academy and myself concerning the duration of my employment and the circumstances under which my employment may be terminated. It supersedes all prior agreements, understandings, and representations concerning my employment with The Academy.

Employee's Signature _____

Date _____