

CAL POLY POMONA FOUNDATION, INC.
PERSONNEL COMMITTEE
Friday, February 16, 2024
1:00 – 2:30 p.m.

Join Zoom Meeting
<https://cpp.zoom.us/j/87555819208>

Meeting ID: 875 5581 9208

Committee Chair: Dr. Phyllis Nelson

Committee Members: Kimberly Allain, Mayra Brown, April Jimenez-Valadez, Anissa Patel, Dr. Homeyra Sadaghiani, Dr. Martin Sancho-Madriz, Maryann Tolano-Leveque

Staff: Shari Benson, Claudia Burciaga-Ramos, Jared Ceja, Lisa Coats, Ernest Diaz

I. ACKNOWLEDGEMENT OF MEMBERS OF THE PUBLIC

Who may or may not be commenting on a specific item or making a general comment.

II. CONSENT ACTION ITEMS

Items in this section are considered to be routine and acted on by the committee in one motion. Each item of the Consent agenda approved by the committee shall be deemed to have been considered in full and adopted as recommended. Any committee member may request that a consent item be removed from the consent agenda to be considered as a separate action item. If no additional information is requested, the approval vote will be taken without discussion. An "A" distinguishes items requiring approval.

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CAL POLY POMONA ENTERPRISES

CAL POLY POMONA ENTERPRISES PERSONNEL COMMITTEE Friday, September 22, 2023 at 1:00 p.m.

Minutes

Notice is hereby given that a regular meeting of the Personnel Committee was held by video conference/teleconference on Friday, September 22, 2023 at 1:00 pm to discuss matters on the posted agenda. The meeting notice in its entirety was posted on the internet at: <https://foundation.cpp.edu/meetingpackets.aspx#ftab5>

Present: Dr. Phyllis Nelson, April Jimenez-Valadez, Mayra Brown, Dr. Homeyra Sadaghiani, Dr. Martin Sancho-Madriz

Absent: Dr. Maryann Tolano-Leveque, Kimberly Gretchen Allain, Anissa Patel

Staff: Shari Benson, Claudia Burciaga-Ramos, Jared Ceja, Lisa Coats, Ernest Diaz

CALL TO ORDER

Chair Phyllis Nelson called the meeting to order at 1:00 p.m.

CONSENSUS ACTION ITEMS

1. Approval of Minutes – May 17, 2023

A motion was made by April Jimenez-Valadez and seconded by Mayra Brown to approve the May 17, 2023 minutes; no opposition, the minutes were approved.

GENERAL UPDATES

2. CEO's Report

Jared Ceja introduced Rhonda Robinson, General Manager for Kellogg, with 20 years plus of experience in hospitality, leadership and GM roles at Staples Center, Dodger Stadium, Fairplex, USC, CSU Fullerton, and the LA Convention Center; she has expertise in residential dining, retail operations, concessions, catering, and planning/executing events of up to 20,000 guests; her primary objectives are to provide transformative leadership to Kellogg West team, develop and mentor both student and professional team members, foster relationships with key stakeholders on campus and in the local community, support the goals of CPPE, expand business opportunities, elevate and enhance current levels of guest service and event operation. Jared also introduced Hui Chieng, formerly CPP Interim Director of EH&S and a Registered Environmental Health Specialist with expertise in Food Safety Programs, Recreational Health Programs (including pools), process improvement, plan check, water systems, and operational assessments/inspections; primary objectives are Injury & Illness Prevention Program, Food Quality & Safety Program, employee wellbeing, special event risk management, policy development, training, and auditing for our portfolio of business. Also, added to the team is Ernest Diaz, new Executive Assistant to the CEO and primary support for the Board; Claudia and Lisa will continue in their roles supporting the Board and organization.

Jared provided an SB-640 update; this legislation requires peace agreements for all dining and hotel contracts, massively impacting outsourced operators, local partnerships, and large brands such as Panda Express, Hibachi San, Savage Tacos, FitBites, Elements, Starbucks, Subway, Carl's Jr., Qdoba, and Round Table—it has already passed in the Senate and Assembly. A concern is higher prices for students and/or less revenue for campuses, as well as the loss of student hiring and scheduling preferences. This legislation has had a lot of opposition, with opposing letters sent to the Governor from NACAS, AOA, and CACS. The governor's finance department has recommended a veto, and he has signaled a willingness to do so. There is also a bill headed for the Governor's desk seeking a \$20 minimum dining wage starting in April of 2024, which will impact all fast food organizations with 60+ locations (contract providers). For us that means Panda, Starbucks, Subway, Carl's Jr., Qdoba, and Round Table. We need to revise our structure to maintain student affordability, operational integrity, and a path for employee growth. Jared reviewed the initial results of Instant Access; there were massive marketing efforts with a social media push including giveaways, active presence at orientation and other pre-semester events for students and parents, e-mails, newsletters, and presentations to faculty. The subsidy program was offered via financial aid; the opt-out budget was at 25%; actual: 23.5%, a positive response from students and faculty, and a small number of faculty have changed materials from "optional" to "required."

Jared mentioned the Advanced Leadership Training Cohort #1 program wrapped up last spring, with CPGE, Dining, Financial Services, HR, Marketing, and Payroll represented; the highest level of our multi-tiered professional development structure which includes partnerships with EODA on our 2nd tier. The Advanced Leadership Cohort #2 starts today with 8 class meetings over the semester plus an outside of the class project, roughly 15 participants are enrolled for this session in addition to those that need to do a make-up session.

INFORMATION & DISCUSSION ITEMS

3. Self-introductions of Committee Members

Chair Nelson asked everyone to introduce themselves and share their preferred comfort food.

4. Tentative Committee Meeting Schedule

Jared reviewed the Personnel Committee Meetings Schedule for the 2023-2024 Fiscal Year.

- Friday, September 22, 2023, 1 p.m.
- Friday, February 16, 2024, 1 p.m.
- Wednesday, May 15, 2024, 2 p.m.

No committee members voiced concern with the proposed schedule.

5. Job Fair Summary

Shari Benson provided an update on the job fair held on Saturday, July 19, 2023. Shari shared that there was a total of 411 interviews versus 296 from last year, 225 students were hired versus 150 last year, and spoke of the updated new hire orientation that requires in-person attendance and provides better understanding and buy-in from new hires.

ACTION ITEMS

6. Benefits 2024

Shari Benson mentioned the 2024 benefit renewal is more than anticipated due to increases in our Kaiser plan rates. The Kaiser renewal is at an 11% increase despite an adjustment in co-payments from \$20 to \$30. However, other benefits were under budget with plan changes (United Healthcare, Dental, and Vision) the actual overall increase is 2.47% above the 5% scheduled increase. This results in costs approximately \$75,200 higher than the 23/24 budget. Management is actively working to absorb the added costs elsewhere within the budget. Additionally, the Enterprises refined a “partial benefitted” program for employees that work 32 hours. The organization currently has approximately three employees that qualify for partial medical, dental, and vision benefits. For those roughly 32-hour per week employees, benefits will be prorated at 80% other than our most affordable plan, which will be built to comply with ACA guidelines. United Health is considered our affordable plan under the ACA, where the mandated 8.39% maximum employee contribution for medical is taken into consideration.

A motion was made by Homeyra Sadaghiani and seconded by Dr. Martin Sancho-Madriz. The Personnel Committee approved the 2024 Benefits Renewal, including a total increase of 7.47% (2.47% above budget) and an update to the rate structure to include the partial benefitted plan. The resolution will be forwarded to the Board of Directors at the next scheduled meeting, and upon approval by the Board of Directors, the Chief Human Resources Officer is authorized and directed to take any and all action as may be necessary to effectuate this resolution. There was no opposition; the motion was approved.

7. Holiday Schedule for 2024

Shari Benson mentioned that each year, the foundation’s holiday calendar closely mirrors that of the University. This method has proven effective as the demand for most of our services is reliant on campus foot traffic. One minor variation on the schedule involves continuing the practice of designating a Foundation Holiday in place of the day granted by the Governor and CPP President to state-side employees.

A motion was made by April Jimenez-Valadez and seconded by Homeyra Sadaghiani. The Personnel Committee approved the Holiday Calendar for 2024, as presented. The resolution will be forwarded to the Board of Directors at their next scheduled meeting, and upon approval of this resolution by the Board of Directors, the Chief Executive Officer and Chief Human Resources Officer are authorized and directed to take any and all action as may be necessary to effectuate this resolution. There was no opposition; the motion was approved.

8. Salary Grades for 2024

Jared Ceja mentioned that each year Management reviews its compensation policies and practices. Effective January 1, 2024, the minimum wage for hourly employees will be \$16.00/hr. California law also calls for a minimum exempt position pay of \$66,560 per year. Management is requesting updates to the salary scale by increasing grade 7 through grade 11 to account for these new minimums, along with the subsequent formulaic updates to the other grades. These changes are necessary to help ensure our salaries are consistent with current wage orders and aligned with the market while mitigating the long-term effects of salary compression. These updates also support the Foundation's requirement to meet comparability standards with the university. This information will be posted on the Foundation's website, which offers transparency related to wages for positions and meets California Government Code regulations related to maintaining a publicly available pay schedule.

A motion was made by April Jimenez-Valadez and seconded by Homeyra Sadaghiani. The Personnel Committee approved the proposed 2024 Salary Grades with an effective date of January 1, 2024. The resolution will be forwarded to the Board of Directors at their next scheduled meeting, and upon approval of this resolution by the Board of Directors, the Chief Human Resources Officer is authorized and directed to take any and all action as may be necessary to effectuate this resolution. There was no opposition; the motion was approved.

OPEN FORUM - none

ADJOURNMENT

A motion was made by Mayra Brown and Homeyra Sadaghiani to adjourn the meeting. There was no opposition; the meeting was adjourned at 1:52 p.m.

Dr. Phyllis Nelson, Chair
Personnel Committee



CAL POLY POMONA
ENTERPRISES

CEO's Report

February 16, 2024
Personnel Committee

Agenda

- ▶ Unplanned Fall & Spring Events
- ▶ Onboarding Annuitant
- ▶ CalPERS Valuation
- ▶ The Current Housing
- ▶ CPPE/Pepsi Student Employee Scholarship



POLICIES AND PROCEDURES

EXECUTIVE DIRECTOR / CEO EVALUATION PROCESS

Subject: Executive Director/CEO Evaluation Procedure

Policy No.:

Last Revision Date: 12/2/2023

Orig. Date: 04/29/2021

Revision: 3

A. Overview

B. Evaluation Process

C. Responsible Parties

A. Overview

A purposeful and regular Executive Director/CEO performance evaluation is a cornerstone of effective governance. The Foundation process is designed to be both efficient and effective, using surveys, self-evaluation, and Board Executive Committee discussion to garner valuable input from key stakeholders. The final output will be a tool the CEO can use to learn and grow.

This formal evaluation process will be conducted after the completion of one full year and every three years thereafter. The timing shall correspond with the end of the fiscal year in order to allow new Board members sufficient time to work with and observe the CEO.

B. Evaluation Process

This formal evaluation process will be conducted after the completion of one full year and every three years thereafter. The timing shall correspond with the end of the fiscal year in order to allow new Board members sufficient time to work with and observe the CEO.

- 1) The CHRO, Executive Assistant, Consultant, or a designee will send the survey to all Board members, non-Board members of Board committees, Foundation Directors, Foundation Associate Directors, and any other current direct reports to CEO.
- 2) The CEO is given the option to select up to twelve, but no less than six, additional Foundation, University, ASI, student, industry, or community partners to participate in the survey.



POLICIES AND PROCEDURES

- 3) All survey results are compiled by the CHRO, Executive Assistant, Consultant, or designee and given to the Chair, Vice Chair, and Personnel Committee Chair.
- 4) The CEO will provide a self-evaluation that highlights accomplishments and challenges over the evaluation period for submission to the Board Chair, Vice Chair, and Personnel Committee Chair.
- 5) The Board Chair, Vice Chair, and Personnel Committee Chair review the survey results with the Board Executive Committee to garner additional input and prepare the final performance appraisal.
- 6) The final performance appraisal is given to and discussed with the CEO by the Board Chair, Vice Chair, Personnel Committee Chair, or other Board designee(s) with a copy retained by the CHRO.
- 7) An executive summary is shared with the full Board in Executive Session. The Board Chair or designee follows with a brief statement in open session for inclusion in the public minutes.

C. Responsible Parties

The Director of Human Resources/CHRO or designee shall manage this process under the oversight of the Board Chair, Board Vice Chair, or Personnel Committee Chair. The Human Resources team will initiate a 360-style survey based on current best practices from other CSU auxiliaries, the university, and the National Association of College Auxiliary Services. A third-party consultant may be used at the discretion of the Board.



Budget 2024-2025 Assumptions

General Information

Adaptive login: <https://login.adaptiveinsights.com/app>

Capital Budget process is in progress and is managed separately

Board approval February 20, 2024

Operating Budget

Board approval May 29, 2024

Actuals for FY22-23 will be provided to December 2022

Depreciation will be added to operating budget via Adaptive

Meeting dates for departments March 11 - April 5

OneSolution reports to use for additional information:

Profit and Loss Statement (Actual to Budget)

COG GL Budget Comparison Summary (budcomph)

COG 03 - Income Statement by Month - Budgets and Actuals

University related assumptions

For programs that base their revenues on in-session classes, use calendar link below:

[Academic calendar](#)

Enrollment	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY28-29
Academic Year FTE	21,981	22,265	22,265	22,265	22,265	22,710
Headcount						
Summer	762	168				
Fall	26,811	23,137				
Spring	24,219	21,224				
Resident FTEs		21,763				
Non-resident FTEs		502				
New First-time freshmen~	4,600	4,600				
New Fall transfers~	3,000	2,744				
New Spring transfers~	300	620				
<i>~impact on Bronco One Card budget</i>						

Enterprise Activities

General

Staffing and other expenses for each semester to reflect the varying foot traffic and occupancy numbers.

Inflationary increase 4.0%

On-campus foot traffic 80% of enrollment*

**Represents weighted estimated headcount on-campus daily.*

University Village

	FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY28-29
Capacity	1200	1200	1200	1200	1650	1650
Avg In-Session Monthly Occupancy Rate	98%	93%	95%	95%	85%	90%
<i>^^ Note FY27-28 reflects expansion to student housing by 500 beds.</i>						
Small meal plans included as part of rent.						
Average Rate Increase	4%					



Budget 2024-2025 Assumptions

Enterprise Activities *(contd.)*

Bookstore

IAC Rates \$250/\$150

Dining

Average Resident Meal Plan Increase 4%
 Retail Increase Market Based

Facilities (Real Estate)

Maintenance expenses by project based on Facilities budget totals with some Facilities cost to remain in Real Estate

Events/Celebrations on campus:

CenterPointe takeovers	Various
Hot Dog Caper	October
Winter Wonderland - Bookstore	November
Thanksgiving meals	November
Staff holiday party	December
Other events	Include detail in budget

Other costs

Conference travel [^]	\$1,800 /person per trip
<i>^Pre-approval forms to be completed prior to travel, includes travel, hotel, meals</i>	
<i>^Use object code 7090 when related to employee professional development</i>	
Insurance - increase projections:	
General Liability	10%
Workers Compensation	10%
Property	20%
Crime	20%

Staffing & Compensation

Vary staffing levels between fall, spring, and summer based on need.
 Consider 32-hour a week positions where appropriate at 80% benefits
 Focus on student employment to the best extent possible (entry level, leads, and first-level supervision).
 Budget at \$18 per hour to accommodate potential increase effective January 1, 2025. Exempt employees must earn at least twice the minimum wage or \$36/hour (\$74.880/year).
 California minimum wage increase:
 For fast-food employees (as defined in AB 1228), budget as \$20 per hour for the fiscal year (was effective 4/1/2024).

General staff wage increase (FT,PT)	3.5%	
Merit Pool	2.5%	
Vacation accrual	2.5%	
Worker's compensation	}	Will be incorporated into the budget spreadsheets
Medical Benefits – employer portion increase	}	
Dental/vision	}	
Other Post-Retirement Med. Benefits increase	}	
Payroll Taxes and Benefits	}	
Students:		
Benefits	0%	
Sick leave	1.6%	

Memorandum

Date: February 16, 2024
To: Personnel Committee
From: Jared Ceja, Chief Executive Officer
Shari Benson, Chief HR Officer
Attached: Proposed Salary Grade Ranges
Subject: Salary Grade Structure Related to \$20.00 Minimum Wage



BACKGROUND:

Legislation was signed increasing the minimum wage for fast food workers to \$20.00 per hour in mid and large-sized franchise locations. This legislation goes into effect April 1, 2024. The Enterprises operates several locations that are considered fast food franchises (Qdoba, Subway, Carl's Jr., Roundtable and Starbucks). In order to fulfil the minimum wage obligations, adjustments will need to be made to our Salary Structure (attached). The proposed changes include a growth path for student employees and range updates for the staff roles that work with and supervise them.

There are efforts underway to exempt Colleges and Universities from this legislation similar to the exemption granted to corporate campuses and state parks. If this exemption goes through, then the Enterprises would maintain the current structure with no range adjustments until 7/1/24.

PROPOSED ACTION:

Management recommends the following resolution concerning updates to the Salary Grade Ranges due to the pending increase in minimum wage.

BE IT RESOLVED:

That the Personnel Committee approves the updates to the Salary Grade Structure as presented, contingent upon the \$20 Franchise Dining Minimum Wage going into effect, and forwards the resolution to the Board of Directors for consideration at the next scheduled meeting.

BE IT FURTHER RESOLVED, that upon approval of this resolution by the Board of Directors, the CEO and CHRO are authorized and directed to take any and all action as may be necessary to effectuate this Resolution.

PASSED AND ADOPTED THIS 16th DAY OF FEBRUARY 2024.

Dr. Phyllis Nelson, Chair
Personnel Committee

SALARY GRADE RANGES EFFECTIVE January 1, 2024 (Current)

SALARY GRADE RANGES EFFECTIVE APRIL 1, 2024 (Proposed)

GRADE #	HOURLY RANGE SPREAD			BI-WEEKLY PAY PERIOD			ANNUAL RANGE SPREAD		
	MIN	MID	MAX	MIN	MID	MAX	MIN	MID	MAX
16				\$6,370	\$8,440	\$10,511	\$165,623	\$219,450	\$273,277
15				\$5,308	\$7,034	\$8,759	\$138,019	\$182,875	\$227,731
14				\$4,424	\$5,861	\$7,299	\$115,016	\$152,396	\$189,776
13				\$3,686	\$4,884	\$6,083	\$95,846	\$126,996	\$158,147
12				\$3,072	\$4,070	\$5,069	\$79,872	\$105,830	\$131,789
11				\$2,560	\$3,392	\$4,224	\$66,560	\$88,192	\$109,824
10	\$25.63	\$34.34	\$43.05	\$2,050	\$2,747	\$3,444	\$53,302	\$71,424	\$89,547
9	\$21.90	\$29.35	\$36.80	\$1,752	\$2,348	\$2,944	\$45,557	\$61,046	\$76,536
8	\$18.72	\$25.08	\$31.45	\$1,498	\$2,007	\$2,516	\$38,938	\$52,176	\$65,415
7	\$16.00	\$21.20	\$26.40	\$1,280	\$1,696	\$2,112	\$33,280	\$44,096	\$54,912

GRADE #	HOURLY RANGE SPREAD			BI-WEEKLY PAY PERIOD			ANNUAL RANGE SPREAD		
	MIN	MID	MAX	MIN	MID	MAX	MIN	MID	MAX
16				\$6,370	\$8,600	\$10,829	\$165,623	\$223,590	\$281,558
15				\$5,308	\$7,166	\$9,024	\$138,019	\$186,325	\$234,632
14/G4				\$4,424	\$5,972	\$7,520	\$115,016	\$155,271	\$195,527
13/G3				\$3,686	\$4,977	\$6,267	\$95,846	\$129,393	\$162,939
12/G2				\$3,072	\$4,147	\$5,222	\$79,872	\$107,827	\$135,782
11/G1				\$2,560	\$3,456	\$4,352	\$66,560	\$89,856	\$113,152
10	\$26.96	\$36.40	\$45.84	\$2,157	\$2,912	\$3,667	\$56,082	\$75,711	\$95,340
9	\$22.66	\$30.59	\$38.52	\$1,813	\$2,447	\$3,081	\$47,128	\$63,623	\$80,117
8	\$19.04	\$25.70	\$32.37	\$1,523	\$2,056	\$2,589	\$39,603	\$53,464	\$67,325
7	\$16.00	\$21.60	\$27.20	\$1,280	\$1,728	\$2,176	\$33,280	\$44,928	\$56,576

GRANTS - EXEMPT POSITIONS

GRADE	MIN	MID	MAX	MIN	MID	MAX
G4	\$4,424	\$5,972	\$7,520	\$115,016	\$155,271	\$195,527
G3	\$3,686	\$4,977	\$6,267	\$95,846	\$129,393	\$162,939
G2	\$3,072	\$4,147	\$5,222	\$79,872	\$107,827	\$135,782
G1	\$2,560	\$3,456	\$4,352	\$66,560	\$89,856	\$113,152

STUDENT POSITIONS

Grade 7 Range ¹	Starting Pay/Hr	Veteran (experience or anniversary)	BI-WEEKLY PAY	BI-WEEKLY PAY AT ANNIVERSARY	ANNUAL PAY (990 Hours)	ANNUAL PAY AT ANNIVERSARY
A	\$ 16.00	\$ 16.50	\$ 640	\$ 660	\$ 15,840	\$ 16,335
B	\$ 17.00	\$ 18.00	\$ 680	\$ 720	\$ 16,830	\$ 17,820
C	\$ 18.00	\$ 19.00	\$ 720	\$ 760	\$ 17,820	\$ 18,810
D ²	\$ 20.00	\$ 20.50	\$ 800	\$ 820	\$ 19,800	\$ 20,295
E ²	\$ 21.00	\$ 21.50	\$ 840	\$ 860	\$ 20,790	\$ 21,285

¹ Students will be assigned as "Student A", "Student B" and so forth in HRIS/Payroll system.

² Franchise Positions

Memorandum

Date: February 16, 2024
To: Personnel Committee
From: Shari Benson, Chief HR Officer
Attached: Policy 209 – Nondiscrimination and Affirmative Action (tracked changes)
Proposed Policy 209 – Affirmative Action & Equal Opportunity
Subject: Update to Policy 209 – Nondiscrimination and Affirmative Action



The corporate policy governing Policy 209 – Nondiscrimination and Affirmative Action has not been updated since the year 2011. Proposed updates include current position names, modern terms in place of outdated ones, and adding in the EEO Policy Statement and information on Pay Transparency.

PROPOSED ACTION:

Management recommends the following resolution to update Policy 209 – Nondiscrimination and Affirmative Action as presented.

BE IT RESOLVED, that the Personnel Committee has reviewed and approves the updates to Policy 209 – Nondiscrimination and Affirmative Action, as presented, and forwards the resolution to the Board of Directors for consideration at the next scheduled meeting.

BE IT FURTHER RESOLVED, that upon approval of this resolution by the Board of Directors, the CEO and CHRO are authorized and directed to take any and all action as may be necessary to effectuate this Resolution.

PASSED AND ADOPTED THIS 16th DAY OF FEBRUARY 2024.

Dr. Phyllis Nelson, Chair
Personnel Committee



POLICIES AND PROCEDURES

CORPORATE POLICY

Subject: ~~Nondiscrimination and Affirmative Action in Employment~~ Affirmative Action and Equal Opportunity

Policy No.: 209
Orig Date: 02/01/80
Revision: ~~3~~4

Last Revision Date: ~~01/01/11~~03/01/2024

A. BACKGROUND AND PURPOSE

B. BASIS FOR POLICY

C. POLICY

D. DISSEMINATION POLICY

E. RESPONSIBILITY FOR IMPLEMENTATION

F. EMPLOYER STATUS

~~G. ON EQUAL EMPLOYMENT OPPORTUNITY (EEO)~~EEO POLICY STATEMENT

~~H.G.~~

A. BACKGROUND AND PURPOSE

The Foundation has a commitment to support and assist the educational mission of the California Polytechnic State University, Pomona and the laws of California and the United States which guarantee equal employment opportunity to all individuals. This commitment requires the Foundation and each of its departments, offices, and operations to treat all employees equally without regard to race, color, ancestry, religion, national origin, sex, gender, sexual preference, marital status, pregnancy, age, mental or physical ~~handicap~~disability, medical condition, veteran, disabled veteran or Vietnam era veteran’s status. or any other protected status as defined by current laws. The Foundation will make positive efforts to increase the employment and advancement opportunities for women, members of minority groups, the disabled, disabled veterans and veterans of the Vietnam era, by establishing policies and procedures that works toward the employment of a workforce that reflects the diverse society served by the organization.

For this reason, the Board of Directors of the Cal Poly Pomona Foundation adopts the following Policy ~~on Nondiscrimination and Affirmative Action in Employment~~.

The Board of Directors adopted a basic policy and program statement concerning ~~N~~nondiscrimination and ~~a~~affirmative ~~a~~action in employment in February 1980. This policy was amended on December 10, 1981, ~~and~~ again on March 28, 1991 and January, 2011.

- Additionally, the Affirmative Action Plan, as published and posted on Foundation’s website,



POLICIES AND PROCEDURES

is the action plan regarding [this policy](#).
[this Policy](#),

B. BASIS FOR POLICY

This policy is intended to conform to the requirements of the Federal Executive Orders 11246 and 11375 as amended; the Civil Rights Act of 1964 as amended; Title IX Educational Act of 1972; Sections 503 and 504 of the Rehabilitation Act of 1972; Sections 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974; Equal Pay Act of 1963 as amended; Age Discrimination Acts of 1967 and 1978 and other applicable Federal and State laws and regulations.

C. POLICY

The Foundation, through responsible managers and supervisors, shall undertake a program of affirmative action to further the principles of equal employment as delineated below, and as further outlined in the Affirmative Action Plan and its Workbook:

1. Recruit, hire, ~~upgrade~~elevate, train and promote in all job titles and occupational categories without regard to any protected status such as race, color, ancestry, religion, national origin, sex, gender, sexual preference, marital status, pregnancy, age, mental or physical handicap, medical condition, disabled veteran, or ~~Vietnam era~~ veteran's status.
2. Ensure that other personnel actions such as compensation, benefits, layoffs, return from layoffs, Foundation sponsored training, educational reimbursement, social and recreation programs are administered without regard to any protected status.
3. Identify and eliminate employment requirements and practices (such as unrealistic qualification standards or invalid pre-employment tests) which have an adverse impact on employment of veterans, women, minorities and others protected by EEO legislation and which do not have a clearly established relationship with job performance.
4. Base employment decisions on the principles of equal employment opportunity including merit and valid job qualifications to enable qualified minority group members, women, disabled veterans and veterans of the Vietnam era, and other disabled persons to be introduced and maintained into the Foundation workforce.
5. Initiate special recruitment efforts with minority, women, disabled, and veterans or Vietnam era veteran's organizations to attract qualified individuals from these groups for Foundation positions.
6. Establish goals and timetables to achieve a representation of minorities and women in the Foundation workforce that reasonably approximates the percentage of these groups which are available within the appropriate recruitment areas for specific occupational categories.



POLICIES AND PROCEDURES

D. DISSEMINATION POLICY

This ~~Affirmative Action~~ Policy and the Affirmative Action Plan will be disseminated externally and internally to effectively communicate its intent to the Foundation management staff and employees, recruiting sources and the general public. Policy dissemination shall occur in accordance with the Affirmative Action Plan.

E. RESPONSIBILITY FOR IMPLEMENTATION

A. The Foundation Board of Directors has delegated the overall responsibility for the implementation of the affirmative action program to the ~~Foundation Executive Director~~ Chief Executive Officer. The ~~Executive Director~~ CEO has established an Affirmative Action Plan and the implementation plans are outlined in that Plan.

B. The Foundation ~~Employment Services Director~~ Chief Human Resources Officer will serve as Affirmative Action Facilitator, implement best practices, and ~~will~~ provide counseling to managers, supervisors and employees in EEO matters, while ensuring compliance with EEO regulations and monitor progress in meeting affirmative action goals and timetables, as outlined in the Affirmative Action Plan.

B-C. The Affirmative Action Facilitator will establish a reporting system which will include the following elements:

—Periodic Reports

~~The Affirmative Action Facilitator will establish a reporting system which will include the following elements:~~

- (1) Progress that is being made in respect to the achievement of affirmative action goals within each organizational unit.
- (2) Discussions with department heads regarding any problems relating to the implementation of the Affirmative Action Plan such as disparate impact on minority and women candidates as related to promotion patterns, rejection, ratios, etc.

F. EMPLOYER STATUS

- A. It is a policy of the Foundation that all qualified employees receive full and equal consideration for promotion, transfer and upgrading. It is a Foundation objective to promote the best qualified employee without regard to any protected status such as race, color, ancestry, religion, national origin, sex, gender, sexual preference, marital status, pregnancy, age, mental or physical ~~handicap~~ disability, medical condition, disabled veteran or Vietnam era veteran's status.
- B. Any work-force reductions and the recall of employees after such reductions will be applied without discrimination related to any protected status such as race, religion, color, sex, gender, age or national origin, etc.
- C. All employees will be compensated on the principle of equal pay for equal work performed and the amount of compensation for any specific job will be based on standards in the industry, the nature of the work performed and the qualifications and experience of the employee.



POLICIES AND PROCEDURES

G. ON EQUAL EMPLOYMENT OPPORTUNITY (EEO) EEO POLICY STATEMENT

It is the policy of Cal Poly Pomona Foundation to continue to provide equal employment opportunity to all applicants and employees without regard to race, color, religion, sex, sexual orientation, gender identity, national origin, age, disability, protected veteran status, or any other protected characteristic enumerated by federal or state law. Pursuant to Executive Order 11246, Section 503 of the Rehabilitation Act and the Vietnam Era Veterans' Readjustment Assistance Act (VEVRAA), Cal Poly Pomona Foundation has developed Affirmative Action Programs to assist with the recruitment and advancement of individuals covered by these laws. These Programs have the full support of the CEO — Jared Ceja Jared.

Cal Poly Pomona Foundation is committed to recruiting, hiring, training, and promoting persons in all job titles, as well as ensuring that all other personnel actions are administered, without regard to the protected characteristics outlined above. All employment decisions will be based on valid job requirements or other legitimate, non-discriminatory reasons. Our employees and applicants will not be subjected to harassment, intimidation, threats, coercion, or discrimination because they have engaged in or may engage in activities such as: (1) filing a complaint; (2) assisting or participating in an investigation, compliance evaluation, hearing, or any other related activities associated with the administration of the affirmative action provisions of the laws set forth above, or any other Federal, state, or local law requiring equal opportunity; (3) opposing any act or practice made unlawful by the laws set forth above or their implementing regulations, or any other Federal, state, or local law requiring equal opportunity; or (4) exercising any other right protected by the laws set forth above or their implementing regulations.

In addition, Cal Poly Pomona Foundation has designed and implemented an audit and reporting system that will: (1) measure the effectiveness and compliance of our Affirmative Action Programs; (2) indicate any need for remedial action; (3) determine the degree to which objectives have been attained; (4) determine whether individuals with protected characteristics have had the opportunity to participate in all company-sponsored educational, training, recreational, and social activities; (5) measure our compliance with the Programs' specific obligations; and (6) document the actions taken to perform items (1) through (5) above. If, after performing this audit, we determine that our AAPs are deficient, we will undertake necessary action to bring our Programs into compliance.

Cal Poly Pomona Foundation is also committed to abiding with the Pay Transparency Nondiscrimination Provisions and therefore, will not retaliate or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other Enterprises employees or applicants as a part of their essential job functions (such as those employees who have administrative privileges in the payroll system, budgeting systems or any employee working in Human Resources) cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing or action, including an investigation conducted by the Enterprises, or (c) consistent with the Enterprises' legal duty to furnish information.



POLICIES AND PROCEDURES

The CEO and or their designee has the responsibility for ensuring full compliance with the provisions of the above-referenced laws and other applicable directives. Responsibility for implementing and monitoring these Programs is assigned to the Chief Human Resources Officer. Our Affirmative Action Plans for Individuals with a Disability and Protected Veterans are available to applicants and employees, upon request, on regularly scheduled workdays by contacting the Chief Human Resources Officer who serves as our EEO Officer. Any applicant or employee who has a disability and needs access to this Policy Statement in a different format should contact the Chief Human Resources Officer. In addition, employees may voluntarily self-identify as an individual with a disability or a protected veteran at any time by contacting the Chief Human Resources Officer.

~~CAL POLY POMONA FOUNDATION, INC.~~ ~~POLICY~~

~~ON EQUAL EMPLOYMENT OPPORTUNITY (EEO)~~

~~Revised January 1, 2011~~

~~The Foundation does not discriminate against any person in the employment relationship or the pre or post employment process. It is the policy of the Foundation to ensure that all applicants are considered for employment, and employees are treated equally during recruitment and employment, without regard to race, religious creed, color, national origin ancestry, physical handicap, medical condition, martial status, sexual orientation, sex, gender, age, or status as special disabled or Vietnam era veterans, or any other protected status according to law. Management and supervisory personnel (and their designated representatives) have the primary responsibility for enforcement of this policy and will ensure that all persons capable and qualified to perform the work required will receive fair and equal treatment in selection, hiring, discharge, promotion, pay or other conditions of employment. Commitment to the principle and practice of voluntary affirmative action is, and will remain, a priority at Cal Poly Pomona Foundation, Inc.~~

~~Foundation's Affirmative Action Plan and associated Workbook are available for review on Foundation's website.~~

If you have any questions regarding our harassment policies or the complaint procedure, you may contact Shari Benson at 909.869.2948.

~~If you have concerns or questions regarding the policy or regulations, you should contact your supervisor or the Foundation EEO Officer at (909) 869-2958-2948~~

Signature:

Date: January 1, 2011 _



POLICIES AND PROCEDURES

[March 1, 2024](#)

[Paul Storey Jared Ceja](#)
[Executive Director CEO](#)

Cal Poly Pomona Foundation, Inc

[Date: March 1, 2024](#)



POLICIES AND PROCEDURES

CORPORATE POLICY

Subject: Affirmative Action and Equal Opportunity

Policy No.: 209

Last Revision Date: 03/01/2024

Orig. Date: 02/01/80

Revision #: 4

- A. BACKGROUND AND PURPOSE
 - B. BASIS FOR POLICY
 - C. POLICY
 - D. DISSEMINATION POLICY
 - E. RESPONSIBILITY FOR IMPLEMENTATION
 - F. EMPLOYER STATUS
 - G. EEO POLICY STATEMENT
-

A. BACKGROUND AND PURPOSE

The Foundation has a commitment to support and assist the educational mission of the California Polytechnic State University, Pomona and the laws of California and the United States which guarantee equal employment opportunity to all individuals. This commitment requires the Foundation and each of its departments, offices, and operations to treat all employees equally without regard to race, color, ancestry, religion, national origin, sex, gender, sexual preference, marital status, pregnancy, age, mental or physical disability, medical condition, veteran, disabled veteran or Vietnam era veteran's status. or any other protected status as defined by current laws. The Foundation will make positive efforts to increase the employment and advancement opportunities for women, members of minority groups, the disabled, disabled veterans and veterans of the Vietnam era, by establishing policies and procedures that works toward the employment of a workforce that reflects the diverse society served by the organization.

For this reason, the Board of Directors of the Cal Poly Pomona Foundation adopts the following Policy.

The Board of Directors adopted a basic policy and program statement concerning Nondiscrimination and Affirmative Action in employment in February 1980. This policy was amended on December 10, 1981, again on March 28, 1991 and January, 2011.



POLICIES AND PROCEDURES

Additionally, the Affirmative Action Plan, as published and posted on Foundation's website, is the action plan regarding this policy.

B. BASIS FOR POLICY

This policy is intended to conform to the requirements of the Federal Executive Orders 11246 and 11375 as amended; the Civil Rights Act of 1964 as amended; Title IX Educational Act of 1972; Sections 503 and 504 of the Rehabilitation Act of 1972; Sections 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974; Equal Pay Act of 1963 as amended; Age Discrimination Acts of 1967 and 1978 and other applicable Federal and State laws and regulations.

C. POLICY

The Foundation, through responsible managers and supervisors, shall undertake a program of affirmative action to further the principles of equal employment as delineated below, and as further outlined in the Affirmative Action Plan and its Workbook:

- A. Recruit, hire, elevate, train and promote in all job titles and occupational categories without regard to any protected status such as race, color, ancestry, religion, national origin, sex, gender, sexual preference, marital status, pregnancy, age, mental or physical handicap, medical condition, disabled veteran, or veteran status.
- B. Ensure that other personnel actions such as compensation, benefits, layoffs, return from layoffs, Foundation sponsored training, educational reimbursement, social and recreation programs are administered without regard to any protected status.
- C. Identify and eliminate employment requirements and practices (such as unrealistic qualification standards or invalid pre-employment tests) which have an adverse impact on employment of veterans, women, minorities and others protected by EEO legislation and which do not have a clearly established relationship with job performance.
- D. Base employment decisions on the principles of equal employment opportunity including merit and valid job qualifications to enable qualified minority group members, women, disabled veterans and veterans of the Vietnam era, and other disabled persons to be introduced and maintained into the Foundation workforce.
- E. Initiate special recruitment efforts with minority, women, disabled, and veterans or Vietnam era veteran's organizations to attract qualified individuals from these groups for Foundation positions.
- F. Establish goals and timetables to achieve a representation of minorities and women in the Foundation workforce that reasonably approximates the percentage of these groups which are available within the appropriate recruitment areas for specific occupational categories.

D. DISSEMINATION POLICY

This Policy and the Affirmative Action Plan will be disseminated externally and internally to effectively communicate its intent to the Foundation management staff and employees, recruiting sources and the general public. Policy dissemination shall occur in accordance with the Affirmative Action Plan.



POLICIES AND PROCEDURES

E. RESPONSIBILITY FOR IMPLEMENTATION

- A. The Foundation Board of Directors has delegated the overall responsibility for the implementation of the affirmative action program to the Foundation Chief Executive Officer. The CEO has established an Affirmative Action Plan and the implementation plans are outlined in that Plan.
- B. The Foundation Chief Human Resources Officer will serve as Affirmative Action Facilitator, implement best practices, and provide counseling to managers, supervisors and employees in EEO matters while ensuring compliance with EEO regulations and monitor progress in meeting affirmative action goals and timetables, as outlined in the Affirmative Action Plan.
- C. The Affirmative Action Facilitator will establish a reporting system which will include the following elements:
 - (1) Progress that is being made in respect to the achievement of affirmative action goals within each organizational unit.
 - (2) Discussions with department heads regarding any problems relating to the implementation of the Affirmative Action Plan such as disparate impact on minority and women candidates as related to promotion patterns, rejection, ratios, etc.

F. EMPLOYER STATUS

- A. It is a policy of the Foundation that all qualified employees receive full and equal consideration for promotion, transfer and upgrading. It is a Foundation objective to promote the best qualified employee without regard to any protected status such as race, color, ancestry, religion, national origin, sex, gender, sexual preference, marital status, pregnancy, age, mental or physical disability, medical condition, disabled veteran or Vietnam era veteran's status.
- B. Any workforce reductions and the recall of employees after such reductions will be applied without discrimination related to any protected status such as race, religion, color, sex, gender, age or national origin, etc.
- C. All employees will be compensated on the principle of equal pay for equal work performed and the amount of compensation for any specific job will be based on standards in the industry, the nature of the work performed and the qualifications and experience of the employee.

G. EEO POLICY STATEMENT

It is the policy of Cal Poly Pomona Foundation to continue to provide equal employment opportunity to all applicants and employees without regard to race, color, religion, sex, sexual orientation, gender identity, national origin, age, disability, protected veteran status, or any other protected characteristic enumerated by federal or state law. Pursuant to Executive Order 11246, Section 503 of the Rehabilitation Act and the Vietnam Era Veterans' Readjustment Assistance Act (VEVRAA), Cal Poly Pomona Foundation has developed

Affirmative Action Programs to assist with the recruitment and advancement of individuals covered by these laws. These Programs have the full support of the CEO – J a r e d Ceja .

Cal Poly Pomona Foundation is committed to recruiting, hiring, training, and promoting persons in all job titles, as well as ensuring that all other personnel actions are administered, without regard to the protected characteristics outlined above. All employment decisions will be based on valid job requirements or other legitimate, non-discriminatory reasons. Our employees and applicants will not be subjected to harassment,



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intimidation, threats, coercion, or discrimination because they have engaged in or may engage in activities such as: (1) filing a complaint; (2) assisting or participating in an investigation, compliance evaluation, hearing, or any other related activities associated with the administration of the affirmative action provisions of the laws set forth above, or any other Federal, state, or local law requiring equal opportunity; (3) opposing any act or practice made unlawful by the laws set forth above or their implementing regulations, or any other Federal, state, or local law requiring equal opportunity; or (4) exercising any other right protected by the laws set forth above or their implementing regulations.

In addition, Cal Poly Pomona Foundation has designed and implemented an audit and reporting system that will: (1) measure the effectiveness and compliance of our Affirmative Action Programs; (2) indicate any need for remedial action; (3) determine the degree to which objectives have been attained; (4) determine whether individuals with protected characteristics have had the opportunity to participate in all company-sponsored educational, training, recreational, and social activities; (5) measure our compliance with the Programs' specific obligations; and (6) document the actions taken to perform items (1) through (5) above. If, after performing this audit, we determine that our AAPs are deficient, we will undertake necessary action to bring our Programs into compliance.

Cal Poly Pomona Foundation is also committed to abiding with the Pay Transparency Nondiscrimination Provisions and therefore, will not retaliate or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other Enterprises employees or applicants as a part of their essential job functions (such as those employees who have administrative privileges in the payroll system, budgeting systems or any employee working in Human Resources) cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing or action, including an investigation conducted by the Enterprises, or (c) consistent with the Enterprises' legal duty to furnish information.

The CEO and or their designee has the responsibility for ensuring full compliance with the provisions of the above-referenced laws and other applicable directives. Responsibility for implementing and monitoring these Programs is assigned to the Chief Human Resources Officer. Our Affirmative Action Plans for Individuals with a Disability and Protected Veterans are available to applicants and employees, upon request, on regularly scheduled workdays by contacting the Chief Human Resources Officer who serves as our EEO Officer. Any applicant or employee who has a disability and needs access to this Policy Statement in a different format should contact the Chief Human Resources Officer. In addition, employees may voluntarily self-identify as an individual with a disability or a protected veteran at any time by contacting the Chief Human Resources Officer.

If you have any questions regarding our harassment policies or the complaint procedure, you may contact Shari Benson at 909.869.2948.

Signature: _____

Jared Ceja, CEO
Cal Poly Pomona Foundation, Inc.

Date: March 1, 2024

Memorandum



Date: February 16, 2024

To: Personnel Committee

From: Shari Benson, Chief HR Officer

Attached: Policy 211 – Policy Against Unlawful Harassment (tracked changes)
Proposed Policy 211 – Discrimination, Harassment and Retaliation

Subject: Update to Policy 211 – Discrimination, Harassment and Retaliation

The corporate policy governing Discrimination, Harassment and Retaliation (Policy 211) has not been updated since the year 2011. The proposed revisions are a near-complete rewrite to align the policy with current standards, guidelines, and the Employee Handbook.

PROPOSED ACTION:

Management recommends the following resolution to update Policy 211 – Discrimination, Harassment and Retaliation.

BE IT RESOLVED, that the Personnel Committee approves the updates to Policy 211 – Discrimination, Harassment and Retaliation as presented and forwards the resolution to the Board of Directors for consideration at the next scheduled meeting.

BE IT FURTHER RESOLVED, that upon approval of this resolution by the Board of Directors, the CEO and CHRO are authorized and directed to take any and all action as may be necessary to effectuate this Resolution.

PASSED AND ADOPTED THIS 16th DAY OF FEBRUARY 2024.

Dr. Phyllis Nelson, Chair
Personnel Committee



POLICIES AND PROCEDURES
CORPORATE POLICY

Subject: ~~Policy Against Unlawful Harassment~~
Discrimination, Harassment and Retaliation
Policy

Policy No.: 211
Orig. Date: 12/10/81
Revision:

2

Last Revision Date: ~~01/01/11~~03/01/2024

- A. PURPOSE
B. POLICY
C. PROCEDURES

A. PURPOSE

This policy is established to comply with State and Federal laws relating to unlawful discrimination, harassment and retaliation ~~harassment~~ in employment and to provide internal procedures by which allegations of unlawfu discrimination, harassment and retaliation may be filed, investigated in a timely manner, and adjudicated fairly.

B. POLICY

The Enterprises is an equal opportunity employer. In accordance with applicable law, we prohibit discrimination and harassment against employees, applicants for employment, individuals providing services in the workplace pursuant to a contract, unpaid interns and volunteers based on their actual or perceived: race (including traits historically associated with race, such as hair texture and protective hairstyles), religious creed, color, national origin, ancestry, physical or mental disability, medical condition, genetic information, marital status (including registered domestic partnership status), sex and gender (including pregnancy, childbirth, lactation and related medical conditions), gender identity and gender expression (including transgender individuals who are transitioning, have transitioned, or are perceived to be transitioning to the gender with which they identify), age (40 and over), sexual orientation, Civil Air Patrol status, military and veteran status and any other consideration protected by federal, state or local law (collectively referred to as "protected characteristics").

For purposes of this policy, discrimination on the basis of "national origin" also includes discrimination against an individual because that person holds or presents the California driver's license issued to those who cannot document their lawful presence in the United States, as well as discrimination based upon any of the following: an individual's or individual's ancestors' actual or perceived physical, cultural or linguistic characteristics associated with a national origin group;



POLICIES AND PROCEDURES

marriage to or association with individuals of a national origin group; tribal affiliation; membership in or association with an organization identified with or seeking to promote the interests of a national origin group; attendance or participation in schools, churches, temples, mosques or other religious institutions generally used by persons of a national origin group; or a name that is associated with a national origin group. An employee's or applicant for employment's immigration status will not be considered for any employment purpose except as necessary to comply with federal, state or local law.

The Company allows employees to self-identify their gender, name and/or pronoun, including gender-neutral pronouns. The Company will use an employee's gender or legal name as indicated on a government-issued identification document, only as necessary to meet an obligation mandated by law. Otherwise, the Company will identify the employee in accordance with the employee's current gender identity and preferred name.

The Company will not tolerate discrimination or harassment based upon these protected characteristics or any other characteristic protected by applicable federal, state or local law. The Company also does not retaliate or otherwise discriminate against applicants or employees who request a reasonable accommodation for reasons related to disability or religion. Our commitment to equal opportunity employment applies to all persons involved in our operations and prohibits unlawful discrimination and harassment by any employee, including supervisors and coworkers.

Prohibited Harassment

The Enterprises is committed to providing a work environment that is free of illicit harassment based on any protected characteristics. As a result, the Company maintains a strict policy prohibiting sexual harassment and harassment against employees, applicants for employment, individuals providing services in the workplace pursuant to a contract, unpaid interns or volunteers based on any legally-recognized basis, including, but not limited to, their actual or perceived race (including traits historically associated with race, such as hair texture and protective hairstyles), religious creed, color, national origin, ancestry, physical or mental disability, medical condition, genetic information, marital status (including registered domestic partnership status), sex and gender (including pregnancy, childbirth, lactation and related medical conditions), gender identity and gender expression (including transgender individuals who are transitioning, have transitioned, or are perceived to be transitioning to the gender with which they identify), age (40 or over), sexual orientation, Civil Air Patrol status, military and veteran status, immigration status or any other consideration protected by federal, state or local law.

For purposes of this policy, discrimination on the basis of "national origin" also includes harassment against an individual because that person holds or presents the California driver's license issued to those who cannot document their lawful presence in the United States and based on any of the following: an individual's or individual's ancestors' actual or perceived physical, cultural or linguistic characteristics associated with a national origin group; marriage to or association with individuals of a national origin group; tribal affiliation; membership in or association with an organization identified with or seeking to promote the interests of a national origin group; attendance or participation in schools, churches, temples, mosques or other religious



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institutions generally used by persons of a national origin group; or a name that is associated with a national origin group. All such harassment is prohibited.

This policy applies to all persons involved in our operations, including coworkers, supervisors, managers, temporary or seasonal workers, agents, clients, vendors, customers, or any other third party interacting with the Company ("third parties") and prohibits proscribed harassing conduct by any employee or third party of the Enterprises, including nonsupervisory employees, supervisors and managers. If such harassment occurs on the Company's premises or is directed toward an employee or a third party interacting with the Company, the procedures in this policy should be followed.

Sexual Harassment Defined

Sexual harassment includes unwanted sexual advances, requests for sexual favors or visual, verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made a term or condition of employment; or
- Submission to, or rejection of, such conduct is used as a basis for employment decisions affecting the individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment also includes various forms of offensive behavior based on sex and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list:

- Unwanted sexual advances.
- Offering employment benefits in exchange for sexual favors.
- Making or threatening reprisals after a negative response to sexual advances.
- Visual conduct: leering; making sexual gestures; displaying sexually suggestive objects or pictures, cartoons, posters, websites, emails or text messages.
- Verbal conduct: making or using derogatory comments, epithets, slurs, sexually explicit jokes, or comments about an employee's body or dress.
- Verbal sexual advances or propositions.
- Verbal abuse of a sexual nature; graphic verbal commentary about an individual's body; sexually degrading words to describe an individual; suggestive or obscene letters, notes or invitations.
- Physical conduct: touching, assault, impeding or blocking movements.
- Retaliation for reporting harassment or threatening to report sexual harassment.

An employee may be liable for harassment based on sex even if the alleged harassing conduct was not motivated by sexual desire. An employee who engages in unlawful harassment may be personally liable for harassment even if the Company had no knowledge of such conduct.

Other Types of Harassment

Harassment on the basis of any legally protected characteristic, as identified above, is prohibited. Prohibited harassment may include behavior similar to the illustrations above pertaining to sexual harassment. This includes conduct such as:

- Verbal conduct including threats, epithets, derogatory comments or slurs based on an individual's protected characteristic;



POLICIES AND PROCEDURES

- Visual conduct, including derogatory posters, photographs, cartoons, drawings or gestures based on protected characteristic; and
- Physical conduct, including assault, unwanted touching or blocking normal movement because of an individual's protected characteristic.

Abusive Conduct Prevention

It is expected that the Company and persons in the workplace perform their jobs productively as assigned, and in a manner that meets all of managements' expectations, during working times, and that they refrain from any malicious, patently offensive or abusive conduct including but not limited to conduct that a reasonable person would find offensive based on any of the protected characteristics described above. Examples of abusive conduct include repeated infliction of verbal abuse, such as the use of malicious, derogatory remarks, insults, and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the intentional sabotage or undermining of a person's work performance.

Protection Against Retaliation

Retaliation is prohibited against any person by another employee or by the Company for using the Company's complaint procedure, reporting proscribed discrimination or harassment or filing, testifying, assisting or participating in any manner in any investigation, proceeding or hearing conducted by a governmental enforcement agency. Prohibited retaliation includes, but is not limited to, termination, demotion, suspension, failure to hire or consider for hire, failure to give equal consideration in making employment decisions, failure to make employment recommendations impartially, adversely affecting working conditions or otherwise denying any employment benefit.

C. DISCRIMINATION, HARASSMENT, RETALIATION AND ABUSIVE CONDUCT COMPLAINT PROCEDURES

Any employee who believes they have been harassed, discriminated against, or subjected to retaliation or abusive conduct by a co-worker, supervisor, agent, client, vendor, customer, or any other third party interacting with the Enterprises in violation of the foregoing policies, or who is aware of such behavior against others, should immediately provide a written or verbal report to their supervisor, any other member of management, Human Resources, or the Human Resources Director/CHRO at (909) 869-2948. Employees are not required to make a complaint directly to their immediate supervisor. Supervisors and managers who receive complaints of misconduct must immediately report such complaints to Human Resources who will attempt to resolve issues internally. When a report is received, the Company will conduct a fair, timely, thorough and objective investigation that provides all parties appropriate due process and reaches reasonable conclusions based on the evidence collected. The Company expects all employees to fully cooperate with any investigation conducted by the Company into a complaint of proscribed harassment, discrimination or retaliation, or regarding the alleged violation of any other Company policies. The Company will maintain confidentiality surrounding the investigation to the extent possible and to the extent permitted under applicable federal and state law.

Upon completion of the investigation, the Company will communicate its conclusion as soon as



POLICIES AND PROCEDURES

practical. If the Company determines that this policy has been violated, remedial action will be taken, commensurate with the severity of the offense, up to and including termination of employment. Appropriate action will also be taken to deter any such conduct in the future.

The federal Equal Employment Opportunity Commission (EEOC) and the California Department of Fair Employment and Housing (DFEH) will accept and investigate charges of unlawful discrimination or harassment at no charge to the complaining party. Information may be located by visiting the agency website at www.eoc.gov or www.dfeh.ca.gov. The DFEH Sexual Harassment Prevention training may be accessed here: <https://www.dfeh.ca.gov/shpt/>.

- ~~i. The Foundation is committed to providing a work environment that is free of unlawful discrimination and unlawful harassment. In accordance with this commitment, the Foundation maintains a strict policy prohibiting unlawful harassment, such as sexual harassment. This policy applies to all employees and applicants for employment. It is intended to prohibit unlawful harassment in any form including verbal, physical, visual harassment, or unlawful harassment via electronic communications.~~

- ~~ii. Sexual harassment includes, but is not limited to making unwanted sexual advances and/or requests for sexual favors where either:
 - ~~1. Submission to such conduct is made an explicit or implicit term or condition of employment;~~

 - ~~2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or~~

 - ~~3. Such conduct has the purpose or effect or substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.~~~~



POLICIES AND PROCEDURES

- ~~iii. — Employees who violate this policy are subject to disciplinary action, including dismissal and may be personally liable to the offended party under law.~~
- ~~iv. — The Foundation takes unlawful harassment seriously, and will take appropriate steps to address and resolve complaints, and will adjudicate substantiated complaints based on the severity of the situation given all of the circumstances. Policy Against Harassment Policy No. 211 Page 2 PROCEDURES~~

~~B. — Procedures~~

~~General~~

~~Any employee or applicant for employment who believes that he/she has been harassed unlawfully by a co-worker, supervisor, or other person including any person doing business with or for the Foundation, should promptly report the facts of the incident or incidents and the name of the offending party to his/her supervisor and to the Employment Services Director. Employees and applicants also have the right to file a complaint with the Department of Fair Employment and Housing (DFEH). No employee shall be retaliated against in any way by the Foundation for using these procedures.~~

~~Managers and supervisors shall immediately report any complaints of unlawful harassment to the Employment Services Director. Once notified, the Employment Services Director will be responsible for ensuring a fair and complete investigation takes place, which shall commence within three business days of receipt of the complaint. At the conclusion of the investigative process, which shall not take longer than 30 calendar days without approval from the Executive Director, whenever a complaint has been substantiated, the Employment Services Director will make a recommendation for corrective action(s) and /or disciplinary action(s), to the appropriate department head and the Executive Director.~~

~~The Employment Services Director shall communicate the final outcome of the results of the investigation to the reporting employee along with recommended correction actions, within 3 business days of acceptance of the recommended corrective action(s) from the Executive Director.~~



POLICIES AND PROCEDURES

CORPORATE POLICY

Subject: Discrimination, Harassment and
Retaliation Policy
Last Revision Date: 03/01/24

Policy No.: 211
Orig. Date: 12/10/81
Revision: 2

A. PURPOSE

B. POLICY

C. PROCEDURES

A. PURPOSE

This policy is established to comply with State and Federal laws relating to discrimination, harassment and retaliation in employment and to provide internal procedures by which allegations of discrimination, harassment and retaliation may be filed, investigated in a timely manner, and adjudicated fairly.

B. POLICY

The Enterprises is an equal opportunity employer. In accordance with applicable law, we prohibit discrimination and harassment against employees, applicants for employment, individuals providing services in the workplace pursuant to a contract, unpaid interns and volunteers based on their actual or perceived: race (including traits historically associated with race, such as hair texture and protective hairstyles), religious creed, color, national origin, ancestry, physical or mental disability, medical condition, genetic information, marital status (including registered domestic partnership status), sex and gender (including pregnancy, childbirth, lactation and related medical conditions), gender identity and gender expression (including transgender individuals who are transitioning, have transitioned, or are perceived to be transitioning to the gender with which they identify), age (40 and over), sexual orientation, Civil Air Patrol status, military and veteran status and any other consideration protected by federal, state or local law (collectively referred to as "protected characteristics").

For purposes of this policy, discrimination on the basis of "national origin" also includes discrimination against an individual because that person holds or presents the California driver's license issued to those who cannot document their lawful presence in the United States, as well as discrimination based upon any of the following: an individual's or individual's ancestors' actual or perceived physical, cultural or linguistic characteristics associated with a national origin group; marriage to or association with individuals of a national origin group; tribal affiliation; membership in or association with an organization identified with or seeking to promote the interests of a national origin group; attendance or participation in schools, churches, temples, mosques or other



POLICIES AND PROCEDURES

religious institutions generally used by persons of a national origin group; or a name that is associated with a national origin group. An employee's or applicant for employment's immigration status will not be considered for any employment purpose except as necessary to comply with federal, state or local law.

The Company allows employees to self-identify their gender, name and/or pronoun, including gender-neutral pronouns. The Company will use an employee's gender or legal name as indicated on a government-issued identification document, only as necessary to meet an obligation mandated by law. Otherwise, the Company will identify the employee in accordance with the employee's current gender identity and preferred name.

The Company will not tolerate discrimination or harassment based upon these protected characteristics or any other characteristic protected by applicable federal, state or local law. The Company also does not retaliate or otherwise discriminate against applicants or employees who request a reasonable accommodation for reasons related to disability or religion. Our commitment to equal opportunity employment applies to all persons involved in our operations and prohibits unlawful discrimination and harassment by any employee, including supervisors and coworkers.

Prohibited Harassment

The Enterprises is committed to providing a work environment that is free of illicit harassment based on any protected characteristics. As a result, the Company maintains a strict policy prohibiting sexual harassment and harassment against employees, applicants for employment, individuals providing services in the workplace pursuant to a contract, unpaid interns or volunteers based on any legally-recognized basis, including, but not limited to, their actual or perceived race (including traits historically associated with race, such as hair texture and protective hairstyles), religious creed, color, national origin, ancestry, physical or mental disability, medical condition, genetic information, marital status (including registered domestic partnership status), sex and gender (including pregnancy, childbirth, lactation and related medical conditions), gender identity and gender expression (including transgender individuals who are transitioning, have transitioned, or are perceived to be transitioning to the gender with which they identify), age (40 or over), sexual orientation, Civil Air Patrol status, military and veteran status, immigration status or any other consideration protected by federal, state or local law.

For purposes of this policy, discrimination on the basis of "national origin" also includes harassment against an individual because that person holds or presents the California driver's license issued to those who cannot document their lawful presence in the United States and based on any of the following: an individual's or individual's ancestors' actual or perceived physical, cultural or linguistic characteristics associated with a national origin group; marriage to or association with individuals of a national origin group; tribal affiliation; membership in or association with an organization identified with or seeking to promote the interests of a national origin group; attendance or participation in schools, churches, temples, mosques or other religious institutions generally used by persons of a national origin group; or a name that is associated with a national origin group. All such harassment is prohibited.

This policy applies to all persons involved in our operations, including coworkers, supervisors,



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managers, temporary or seasonal workers, agents, clients, vendors, customers, or any other third party interacting with the Company (“third parties”) and prohibits proscribed harassing conduct by any employee or third party of the Enterprises, including nonsupervisory employees, supervisors and managers. If such harassment occurs on the Company’s premises or is directed toward an employee or a third party interacting with the Company, the procedures in this policy should be followed.

Sexual Harassment Defined

Sexual harassment includes unwanted sexual advances, requests for sexual favors or visual, verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made a term or condition of employment; or
- Submission to, or rejection of, such conduct is used as a basis for employment decisions affecting the individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment also includes various forms of offensive behavior based on sex and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list:

- Unwanted sexual advances.
- Offering employment benefits in exchange for sexual favors.
- Making or threatening reprisals after a negative response to sexual advances.
- Visual conduct: leering; making sexual gestures; displaying sexually suggestive objects or pictures, cartoons, posters, websites, emails or text messages.
- Verbal conduct: making or using derogatory comments, epithets, slurs, sexually explicit jokes, or comments about an employee's body or dress.
- Verbal sexual advances or propositions.
- Verbal abuse of a sexual nature; graphic verbal commentary about an individual's body; sexually degrading words to describe an individual; suggestive or obscene letters, notes or invitations.
- Physical conduct: touching, assault, impeding or blocking movements.
- Retaliation for reporting harassment or threatening to report sexual harassment.

An employee may be liable for harassment based on sex even if the alleged harassing conduct was not motivated by sexual desire. An employee who engages in unlawful harassment may be personally liable for harassment even if the Company had no knowledge of such conduct.

Other Types of Harassment

Harassment on the basis of any legally protected characteristic, as identified above, is prohibited. Prohibited harassment may include behavior similar to the illustrations above pertaining to sexual harassment. This includes conduct such as:

- Verbal conduct including threats, epithets, derogatory comments or slurs based on an individual’s protected characteristic;
- Visual conduct, including derogatory posters, photographs, cartoons, drawings or gestures based on protected characteristic; and
- Physical conduct, including assault, unwanted touching or blocking normal movement because of an individual’s protected characteristic.



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Abusive Conduct Prevention

It is expected that the Company and persons in the workplace perform their jobs productively as assigned, and in a manner that meets all of managements' expectations, during working times, and that they refrain from any malicious, patently offensive or abusive conduct including but not limited to conduct that a reasonable person would find offensive based on any of the protected characteristics described above. Examples of abusive conduct include repeated infliction of verbal abuse, such as the use of malicious, derogatory remarks, insults, and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the intentional sabotage or undermining of a person's work performance.

Protection Against Retaliation

Retaliation is prohibited against any person by another employee or by the Company for using the Company's complaint procedure, reporting proscribed discrimination or harassment or filing, testifying, assisting or participating in any manner in any investigation, proceeding or hearing conducted by a governmental enforcement agency. Prohibited retaliation includes, but is not limited to, termination, demotion, suspension, failure to hire or consider for hire, failure to give equal consideration in making employment decisions, failure to make employment recommendations impartially, adversely affecting working conditions or otherwise denying any employment benefit.

C. DISCRIMINATION, HARASSMENT, RETALIATION AND ABUSIVE CONDUCT COMPLAINT PROCEDURES

Any employee who believes they have been harassed, discriminated against, or subjected to retaliation or abusive conduct by a co-worker, supervisor, agent, client, vendor, customer, or any other third party interacting with the Enterprises in violation of the foregoing policies, or who is aware of such behavior against others, should immediately provide a written or verbal report to their supervisor, any other member of management, Human Resources, or the Human Resources Director/CHRO at (909) 869-2948. Employees are not required to make a complaint directly to their immediate supervisor. Supervisors and managers who receive complaints of misconduct must immediately report such complaints to Human Resources who will attempt to resolve issues internally. When a report is received, the Company will conduct a fair, timely, thorough and objective investigation that provides all parties appropriate due process and reaches reasonable conclusions based on the evidence collected. The Company expects all employees to fully cooperate with any investigation conducted by the Company into a complaint of proscribed harassment, discrimination or retaliation, or regarding the alleged violation of any other Company policies. The Company will maintain confidentiality surrounding the investigation to the extent possible and to the extent permitted under applicable federal and state law.

Upon completion of the investigation, the Company will communicate its conclusion as soon as practical. If the Company determines that this policy has been violated, remedial action will be taken, commensurate with the severity of the offense, up to and including termination of employment. Appropriate action will also be taken to deter any such conduct in the future.

The federal Equal Employment Opportunity Commission (EEOC) and the California Department of Fair Employment and Housing (DFEH) will accept and investigate charges of unlawful discrimination



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or harassment at no charge to the complaining party. Information may be located by visiting the agency website at www.eeoc.gov or www.dfeh.ca.gov. The DFEH Sexual Harassment Prevention training may be accessed here: <https://www.dfeh.ca.gov/shpt/>.