



a California joint powers agency

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NOTICE
CALIFORNIA AUTHORITY OF RACING FAIRS
BOARD OF DIRECTORS & LIVE RACING COMMITTEE
CONCURRENT MEETING
JOHN ALKIRE, CHAIR
11:00 A.M., TUESDAY, FEBRUARY 4, 2020

Notice is hereby given that a meeting of the California Authority of Racing Fairs' Board of Directors and Live Racing Committee will commence at 11:00 A.M., Tuesday, February 4, 2020. The meeting will be held at the CARF Conference Room, 1776 Tribute Road, Sacramento, CA 95815.

Public and members of the California Authority of Racing Fairs Board of Directors and Live Racing Committee may participate from the following locations:

Alameda County Fair
4501 Pleasanton Ave.
Pleasanton, CA 94566

Humboldt County Fair
1250 5th Street
Ferndale, CA 95536

Santa Clara County Fairgrounds
344 Tully Road
San Jose, CA 95111

Antelope Valley Fair
2551 West Ave. H, Suite 102
Lancaster, CA 93536

Monterey County Fair
2004 Fairground Road
Monterey, CA 93940

Solano County Fair
900 Fairgrounds Drive
Vallejo, CA 94589

The Big Fresno Fair
1121 S. Chance Ave.
Fresno, CA 93702

National Orange Show
689 South E Street
San Bernardino, CA 92408

Stanislaus County Fair
900 North Broadway
Turlock, CA 95404

California State Fair
1600 Exposition Blvd.
Sacramento, CA 95815

San Bernardino County Fair
14800 7th Street
Victorville, CA 92395

Ventura County Fair
10 West Harbor Blvd.
Ventura, CA 93001

California Dept. of Food & Ag.
2399 Gateway Oaks Dr.
Sacramento, CA 95833

San Mateo Event Center
2495 So. Delaware Street
San Mateo, CA 94403



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AGENDA
CALIFORNIA AUTHORITY OF RACING FAIRS
BOARD OF DIRECTORS & LIVE RACING COMMITTEE
CONCURRENT MEETING
JOHN ALKIRE, CHAIR
11:00 A.M., TUESDAY, FEBRUARY 4, 2020

Notice is hereby given that a meeting of the California Authority of Racing Fairs' Board of Directors and the Live Racing Committee will commence at 11:00 A.M., Tuesday, February 4, 2020. The meeting will be held at the CARF Conference Room, 1776 Tribute Road, Sacramento, CA 95815.

AGENDA

- I. Date, Time and Location of Next Meeting: March 3, 2020 in Sacramento.
- II. Public Comment.
- III. Closed Session:
 - Conference with Legal Counsel – Anticipated Litigation.
- IV. Approval of Minutes.
- V. Report, Discussion and Action, if any, on Legislative Program.
- VI. Report, Discussion and Action, if any, on Mini-Satellites and NCOTWINC.
- VII. Financials.
- VIII. Report, Discussion and Action, if any, on Live Racing Operations.
- IX. Executive Director's Report.*
 - DRAFT Policy Manual & Employee Handbook
 - Executive Director Evaluation Form
 - Other

*Handout materials are for discussion during March 2020 Board Meeting.

CALIFORNIA AUTHORITY OF RACING FAIRS
Board of Directors & Live Racing
Committee Meeting
Thursday, October 10, 2019

MINUTES

A concurrent meeting of the California Authority of Racing Fairs (CARF) Board of Directors and Live Racing Committee was held at 10:00 A.M., Thursday, October 10, 2019. The meeting was hosted at the Big Fresno Fair, 1121 Chance Ave., Fresno, California.

CARF Board Directors attending: John Alkire, Richard Conway and Rick Pickering. Joining by conference call: Jerome Hoban and Kelly Violini.

CARF Live Racing Committee attending: John Alkire, Richard Conway and Rick Pickering. Joining by conference call: Jerome Hoban.

Staff and Guests attending: Larry Swartzlander, Juliana Gomes, Louie Brown, Cody Boyles, Lauri King, Becky Bartling, John Quiroz, Arturo Barajas, Allen Aldrich, Abel Borg and Howard Rubin. Joining by conference call: Raechelle Gibbons, Jessica Agee, Jeanne Wasserman, Lisa Hindley and Caroline Titus.

Agenda Item 1 – Date, Time and Location of Next Meeting. The next CARF Board of Directors meeting is scheduled for November 5, 2019 in Sacramento.

Agenda Item 2 – Public Comment. None.

Agenda Item 3 – Audit Report. Jessica Agee from Gilbert & Associates presented the results of the CARF audit for the year ending December 31, 2018. The field work for this audit happened from May to June and included a review of the Paymaster’s procedures during the California State Fair in July. The audit report was issued in August.

Ms. Agee reported that CARF management was cooperative and well-prepared throughout the audit process. The audit found that the financial statements fairly presented the financial position of the agency and are in accordance with all acceptable accounting principles. As in previous years, Ms. Agee reported that Gilbert is unable to make a qualified opinion due to the lack of financial evidence provided from Advanced Deposit Wagering (ADW) providers and that a segregation of duties for the Paymaster position is encouraged, but they did not find any issue with the current reporting.

Ms. Agee noted one new finding is that the vacation accrual for employees is higher than the board-adopted policy allows. This creates a liability for the agency and Mr. Swartzlander commented that this is likely due to the nature of employee's work occurring on holidays.

The implementation of GASB75 and an overfunding of OPEB were the most significant changes for this year. Ms. Gibbons added that the OPEB fund is used to help reimburse the agency for CARF retiree benefits. Ms. Agee reiterated that having a pre-funded OPEB is a highlight for the agency and Mr. Pickering requested that next year Ms. Agee include a footnote designating that.

Mr. Pickering moved to accept the 2018 CARF Audit Report as presented. Mr. Conway seconded, unanimously approved.

Agenda Item 4 – Report, Discussion and Action, if any, on Legislation. Mr. Brown reported that the 2019 legislative session has adjourned and that he would like to plan a legislative agenda for 2020.

Mr. Brown noted that Assemblymember Adam Gray had made a constitutional amendment to Sports Wagering. This amendment would require a 2/3 approval by the legislature before it could be presented to voters on the 2020 ballot.

Mr. Brown also stated that the Governor has placed horse and jockey safety as a priority for his most recent appointees to the California Horse Racing Board (CHRB.) These three new CHRB members include: Dr. Gregory Ferraro, Oscar Gonzalez and Wendy Mitchell.

Mr. Pickering recommended that Mr. Brown work on a spot bill in case it is needed as a vehicle for the potential outcome of the lawsuit between the CHRB and Los Alamitos vs. The Stronach Group in regards to providing a signal to the northern California satellites. Mr. Brown stated that they are prepared and look forward to the hearing. Mr. Swartzlander reported that the hearing has been moved to November 18.

Agenda Item 5 – Report, Discussion and Action, if any, on 2019 Racing Operations. Mr. Swartzlander reported there is one more week left of racing at the Big Fresno Fair. An evaluation on purse overpayments will be made available to board members during the November CARF Board meeting.

In light of the recent accidents and horse safety concerns at Santa Anita, Mr. Pickering asked for an update in regards to the fairs' injury statistics. Mr. Swartzlander explained that there are differences in fatality reports: on-track, on the grounds (i.e. backside, barn areas) and in-training. Mr. Swartzlander reported that at Pleasanton there were three fatalities, one was on-track and Fresno had one Quarter Horse euthanization due to race sustained injuries. Mr. Pickering clarified that these four accidents occurred out of an estimated 3,500 starts on the fairs this year.

Agenda Item 6 – Report, Discussion and Action, if any, on 2020 Summer Race Dates and Stabling. Mr. Swartzlander presented the current CARF Proposal, listed as item VI. Proposed Northern California Race Dates DRAFT. It was presented to Golden Gate Fields (GGF) and The Stronach Group (TSG) that the fairs would continue to pay 2% for auxiliary stabling which would amount to roughly \$645,000 and that the fairs would like the first week of the Humboldt County Fair (HCF) unoverlapped. TSG rejected the offer and countered with an offer of \$825,000 for auxiliary stabling with no unoverlap for HCF. The Thoroughbred Owners of California (TOC) support the current proposal by CARF and Mr. Swartzlander encourages members to attend the upcoming Race Dates Committee meeting being held at Cal Expo.

The second topic in regards to 2020 Summer Race Dates is the push back of start date from June 11 to June 18. This move one week back causes a concern for revenue loss and scheduling issues for the Sonoma County Fair (SCF.) A letter was provided to the CARF Board from the SCF Racing Committee Chair Teejay Lowe stating that SCF would rejoin as a CARF member for three years if the following criteria were met: that SCF would keep its race dates schedule it has had for the last three years, SCF would drop its request for a third week of racing and that SCF and CARF reach a mutually agreeable financial proposal.

This proposal came after a meeting hosted by Senator Mike McGuire to discuss the future of fair race dates. Mr. Swartzlander, Ms. Bartling, the chief of staff for Senator Bill Dodd’s office, and SCF Board Member Ross Liscum were all present to discuss possible solutions.

Ms. Bartling provided detail into how the one-week shift would negatively affect her fair. Each board member spoke to the challenges of school start dates and encouraged Ms. Bartling to receive further approval from not only her Racing Committee Chair, but her Fair Board of Directors. Ms. Bartling countered that despite prior history of bad blood that SCF would be willing to work with CARF if SCF dates were secured.

Mr. Pickering and Mr. Hoban both commented that despite the draft nature of the race dates calendar, their fair boards must vote on dates to secure carnival contracts. Mr. Swartzlander added that the 42-race day model with a start date on June 18 and HCF unoverlapped in the first week is the best model for current CARF members. Mr. Alkire agreed with this conclusion and encouraged Mr. Swartzlander and Ms. Bartling to continue dialogue despite the current impasse.

Agenda Item 7 – Financials. No report.

Agenda Item 8 – Executive Director’s Report. Mr. Swartzlander updated the board on current board openings. There are three positions opening, Geoff Hinds has moved out of state to work as the director for the Deschutes County Fair and will no longer serve as the Southern California Satellite Chair, Dana Stoehr from the San Mateo County Event Center has resigned from

her seat as an At-Large Director and Rick Pickering's term as WFA Liaison is expiring. These seats will all be made available for a membership election come December.

Respectfully submitted,
Juliana Gomes

**CALIFORNIA AUTHORITY OF RACING FAIRS
Board of Directors & Live Racing Committee
Concurrent Meeting
Tuesday, December 10, 2019**

MINUTES

A concurrent meeting of the California Authority of Racing Fairs (CARF) Board of Directors and Live Racing Committee was held at 11:00 A.M., Tuesday, December 10, 2019. The meeting was conducted at the CARF office, 1776 Tribute Road, Sacramento, CA, 95815.

CARF Board Directors attending: Rick Pickering. Joining by conference call: John Alkire, Richard Conway, Jerome Hoban and Kelly Violini.

CARF Live Racing Committee members attending: Rick Pickering. Joining by conference call: John Alkire, Richard Conway and Jerome Hoban.

Staff and Guests participating: Larry Swartzlander, Tom Doutrich, Heather Haviland, Juliana Gomes, Raechelle Gibbons, Arturo Barajas, John Quiroz and Ann Grottviet. Joining by conference call: Louie Brown, Lauri King and Caroline Titus.

Agenda Item 1 – Date, Time and Location of Next Meeting: February 4, 2020 in Sacramento. The next CARF Board of Directors and Live Racing Committee meeting will be held at 11:00 a.m. February 4, 2020 in Sacramento.

Agenda Item 2 – Public Comment. None.

Agenda Item 3 – Approval of Minutes. {ACTION} Mr. Conway moved to approve the CARF Board of Directors & Live Racing Committee concurrent meeting minutes for November 18, 2019 as presented. Mr. Pickering seconded, unanimously approved.

Agenda Item 4 – Closed Session: Conference with Legal Counsel Regarding Anticipated Litigation and Public Employee Performance Evaluation. Ms. Grottviet reported that during closed session the Board heard an update from legal counsel regarding the status of the ongoing Pacific Racing Association (PRA) lawsuit and no action was taken.

Agenda Item 5 – Report, Discussion and Action, if any, on 2020 Budget. Mr. Swartzlander reported that the 2020 CARF Agency Budget is included in the meeting packet and asked Ms. Gibbons to provide an overview. The budget, as presented, has been reviewed by the CARF Finance Committee.

Ms. Gibbons began by stating that all significantly over/under performing budget line items have been footnoted with an explanation for the deviation. In addition, the first page of the budget packet titled “Agency & Live Racing Operating Expense Summary,” is new for 2020 and provides the Board and staff with a snapshot of the total operating expenses rolling up from both the agency and live racing operations over a three-year period. Ms. Gibbons provided a detailed presentation of the Agency & Live Racing Operating Expense Summary, Agency Income Statement, Southern Satellite Program Sales, Live Racing Income Statement and Statement of Net Position (formerly presented as the Balance Sheet).

Mr. Pickering asked Ms. Gibbons if there was a timeline for NCOTWINC to reconcile and finalize the 2019 6% Fund. Ms. Gibbons stated that the draft pro formas circulated to Alameda County Fair and California State Fair contain projections that are expected to be very close to actual and that NCOTWINC should close their books January 31, 2020. Ms. Gibbons stated that projections will also be provided to Humboldt County Fair and the Big Fresno Fair.

{ACTION} Mr. Hoban moved to approve the 2020 budget as presented with the following adjustment: Increase “Salaries” line item by 3% more than the 2019 annual budget figure with the appropriate adjustments to employee benefits and payroll taxes. Mr. Conway seconded., unanimously approved.

Agenda Item 6 – Report, Discussion and Action, if any, on Legislative Program. Mr. Brown provided an update on the proposed initiative to legalize sports wagering at private horse tracks and tribal casinos lead by the Pechanga Band of Luiseno Indians. Mr. Brown stated that he has reached out to the representative of the Pechanga Tribe to voice racing fair concerns, but has not received a response at this time. CARF legislative counsel remains in contact with Pechanga’s lobbyist.

The group discussed the merits of taking a formal position regarding the initiative and providing comments of opposition to the Office of the Attorney General per the proposed initiative measure process. Mr. Brown referenced the CARF position statement included in the meeting packet.

Mr. Pickering asked Mr. Barajas and Mr. Quiroz if the Department of Food & Agriculture was planning on taking a position on behalf of fairs. Mr. Barajas responded that a formal position is not being considered at this time, but that they are watching with interest.

{ACTION} Mr. Hoban moved to support the “California Sports Wagering Regulation and Unlawful Gambling Enforcement Act CARF Position Statement” as presented and to direct legislative counsel and executive staff to draft a statement on the CARF Board’s behalf. Mr. Conway seconded, unanimously approved.

Mr. Hoban requested that Mr. Swartzlander circulate the final position paper and statement to CARF Board members to share with their respective Boards.

Agenda Item 7 – Report, Discussion and Action, if any, on Racing Calendar and Live Racing Operations.

2020 Racing Dates & Stabling:

Mr. Swartzlander reported that he has spoken to Aidan Butler (The Stronach Group - TSG), Greg Avioli (Thoroughbred Owners of California - TOC) and CHRB Commissioner Gonzales regarding dates and stabling. Mr. Swartzlander feels the CHRB position will be to support the calendar CARF presented and place the onus on CARF to reach an auxiliary stabling agreement with TSG that satisfies TOC. TOC does not have an official position on the Humboldt County Fair overlap.

Sonoma County Fair:

Mr. Swartzlander stated that Becky Bartling has received the financial documents from CARF that she requested and conversations are ongoing with no further update at this time.

Agenda Item 8 – Executive Director’s Report. Mr. Swartzlander reported that he attended and sat on a panel at The Jockeys’ Guild Annual Assembly December 10-11 in Las Vegas. The assembly focused on current issues of importance to the industry including health, safety and workmen’s comp insurance. Mr. Swartzlander stressed to the assembly attendees that insurance claims for exercise riders in California must be reduced to keep the program sustainable.

Mr. Swartzlander stated that staff will be revising future meeting agendas to place agency items at the beginning of the meetings and live racing items at the end for the convenience of non-live racing Board members.

Mr. Pickering updated the group that the Western Fairs Association (WFA) Board of Directors will be adopting enhancements to their bylaws prior to convention, but will not be addressing potential changes to Board seats until their spring workshop.

Respectfully submitted,
Heather Haviland

CARF Comprehensive Report 1/24/2020

V.

AB 208 (**Garcia, Cristina D**) **Gaming Policy Advisory Committee.**

Current Text: Introduced: 1/14/2019 [html](#) [pdf](#)

Introduced: 1/14/2019

Status: 5/17/2019-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 3/20/2019) (May be acted upon Jan 2020)

Desk	Policy	2 year	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Current law requires the California Gambling Control Commission to establish a 10-member Gaming Policy Advisory Committee for the purpose of discussing matters of controlled gambling regulatory policy and other relevant gambling-related issues. The committee is composed of representatives of controlled gambling licensees and members of the general public in equal numbers. This bill would increase the membership of the committee from 10 to 12 members, and would instead require the committee to be composed of 5 representatives of controlled gambling licensees, 5 members of the general public, and 2 representatives from the Department of Justice.

Organization	Position	Priority	Assigned	Subject
CARF	Watch			

AB 274 (**Mathis R**) **Water treatment facility: State Water Resources Control Board: grant.**

Current Text: Amended: 3/28/2019 [html](#) [pdf](#)

Introduced: 1/28/2019

Status: 5/16/2019-In committee: Held under submission.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would appropriate \$20,000,000 from the General Fund to the State Water Resources Control Board for the purpose of improving water treatment. The bill would require the board to grant \$20,000,000 to a specified joint powers authority for a water treatment facility to be operated by the joint powers authority.

Organization	Position	Priority	Assigned	Subject
CARF	Watch			

AB 482 (**Quirk D**) **California Horse Racing Board: racing weeks: multiyear calendar: evening races.**

Current Text: Amended: 4/11/2019 [html](#) [pdf](#)

Introduced: 2/12/2019

Status: 1/17/2020-Failed Deadline pursuant to Rule 61(b)(1). (Last location was 2 YEAR on 4/26/2019)

Dead	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The Horse Racing Law gives the California Horse Racing Board the authority to allocate racing weeks to an applicant or applicants pursuant to specified provisions of law and to specify such racing days, dates, and hours for horse racing meetings as will be in the public interest, and will subserve the purposes of the Horse Racing Law. This bill would, notwithstanding these provisions, give the board the authority to allocate racing weeks based on a multiyear calendar to an applicant or applicants pursuant to specified provisions of law.

Organization	Position	Priority	Assigned	Subject
CARF	Sponsor			

AB 501 (**Bigelow R**) **Gaming Policy Advisory Committee.**

Current Text: Introduced: 2/13/2019 [html](#) [pdf](#)

Introduced: 2/13/2019

Status: 1/17/2020-Failed Deadline pursuant to Rule 61(b)(1). (Last location was 2 YEAR on 4/26/2019)

Dead	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Current law requires the California Gambling Control Commission to establish a 10-member Gaming Policy Advisory Committee composed of representatives of controlled gambling licensees and members of the general public in equal numbers. Existing law requires the executive director of the commission to convene the committee, from time to time, for the purpose of discussing matters of controlled gambling regulatory policy and any other relevant gambling-related issue. This bill would increase the membership of the committee from 10 to 12 members, and would require the committee to be composed of 5 representatives of controlled gambling licensees, 5 members of the general public, and 2 representatives from the Department of Justice.

Organization	Position	Priority	Assigned	Subject

[AB 771](#) (Rubio, Blanca D) Horse racing: license to conduct a horse racing meeting: felony.**Current Text:** Introduced: 2/19/2019 [html](#) [pdf](#)**Introduced:** 2/19/2019**Status:** 1/17/2020-Failed Deadline pursuant to Rule 61(b)(1). (Last location was 2 YEAR on 4/26/2019)

Dead	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapters
1st House				2nd House							

Summary: Would provide that any person who, directly or indirectly, holds or conducts for profit any horse racing meeting without the proper licenses or approval from the California Horse Racing Board is guilty of a felony. By creating a new crime, the bill would impose a state-mandated local program.

Organization	Position	Priority	Assigned	Subject
CARF	Watch			

[AB 1050](#) (Cooper D) California Horse Racing Board: public records: votes.**Current Text:** Amended: 3/20/2019 [html](#) [pdf](#)**Introduced:** 2/21/2019**Status:** 1/17/2020-Failed Deadline pursuant to Rule 61(b)(1). (Last location was 2 YEAR on 4/26/2019)

Dead	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapters
1st House				2nd House							

Summary: The Horse Racing Law establishes the California Horse Racing Board and requires the board, among other things, to maintain a general office for the transaction of its business in Sacramento and to maintain a public record of every vote at the board's general office. This bill would require the board to post the record of its vote on its internet website.

Organization	Position	Priority	Assigned	Subject
CARF	Watch			

[AB 1082](#) (Low D) Gambling: Gambling Control Act.**Current Text:** Introduced: 2/21/2019 [html](#) [pdf](#)**Introduced:** 2/21/2019**Status:** 9/15/2019-Failed Deadline pursuant to Rule 61(a)(15). (Last location was INACTIVE FILE on 7/11/2019)(May be acted upon Jan 2020)

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	2 year	Conf. Conc.	Enrolled	Vetoed	Chapters
1st House				2nd House							

Summary: Would, for purposes of the Gambling Control Act, remove from the definition of applicant, a person who is about to apply for a state gambling license, or other specified licenses, permits, or approvals.

Organization	Position	Priority	Assigned	Subject
CARF	Watch			

[AB 1473](#) (Gray D) Horse racing: takeouts: disclosure to patrons.**Current Text:** Introduced: 2/22/2019 [html](#) [pdf](#)**Introduced:** 2/22/2019**Status:** 9/15/2019-Failed Deadline pursuant to Rule 61(a)(15). (Last location was INACTIVE FILE on 9/12/2019)(May be acted upon Jan 2020)

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	2 year	Conf. Conc.	Enrolled	Vetoed	Chapters
1st House				2nd House							

Summary: The Horse Racing Law authorizes racing associations and fairs to make various deductions from the amounts handled, and specifies the manner in which the amounts deducted are required to be distributed. A violation of the Horse Racing Law, where no other penalty is expressed, is a misdemeanor. This bill would require each racing association or fair to inform patrons, through the official program, of the takeout being applied to the handle for the racing meeting.

Organization	Position	Priority	Assigned	Subject
CARF	Watch			

[AB 1582](#) (Diep R) Joint powers authorities.**Current Text:** Introduced: 2/22/2019 [html](#) [pdf](#)**Introduced:** 2/22/2019**Status:** 5/3/2019-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/22/2019)(May be acted upon Jan 2020)

2 year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapters
1st House				2nd House							

Summary: Current law authorizes 2 or more public agencies, by agreement, to form a joint powers

authority to exercise any power common to the contracting parties, as specified. This bill would make nonsubstantive changes to this provision.

Organization	Position	Priority	Assigned	Subject
CARF	Watch			

AB 1635 (Gray D) Horse racing: out-of-state thoroughbred races: Pegasus World Cup Invitational.

Current Text: Introduced: 2/22/2019 [html](#) [pdf](#)

Introduced: 2/22/2019

Status: 1/21/2020-Read third time. Passed. Ordered to the Senate. In Senate. Read first time. To Com. on RLS. for assignment.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Under the Horse Racing Law, the total number of thoroughbred races imported by associations or fairs on a statewide basis under these provisions are required to not exceed 50 per day on days when live thoroughbred or fair racing is being conducted in the state, with the exception of prescribed races. This bill would exempt from the 50 imported race per day limitation races imported that are part of the race card of the Pegasus World Cup Invitational.

Organization	Position	Priority	Assigned	Subject
CARF	Watch			

AB 1839 (Bonta D) Climate change: California Green New Deal.

Current Text: Introduced: 1/6/2020 [html](#) [pdf](#)

Introduced: 1/6/2020

Status: 1/7/2020-From printer. May be heard in committee February 6.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law establishes various environmental and economic policies. This bill would create the California Green New Deal Council with a specified membership appointed by the Governor. The bill would require the California Green New Deal Council to submit a specified report to the Legislature no later than January 1, 2022. The bill also would make various findings and declarations.

Organization	Position	Priority	Assigned	Subject
CARF	Watch			

AB 1841 (Salas D) District agricultural associations: fiscal and compliance audits: ethics training.

Current Text: Introduced: 1/6/2020 [html](#) [pdf](#)

Introduced: 1/6/2020

Status: 1/7/2020-From printer. May be heard in committee February 6.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require district agricultural associations to report every year the salary information of their employees to the Controller. The bill would require the Department of Food and Agriculture to require the chief executive officer and each director of a district agricultural association to attend ethics and conflict-of-interest training classes each year as prepared by the department. The bill would require the department to develop appropriate controls to protect the assets of district agricultural associations and to mitigate the potential for misuse, prevent inappropriate purchases and travel, and segregate duties as a preventive measure against improper purchases by district agricultural associations. The bill would require the department to conduct or cause to be conducted a fiscal and compliance audit of a district agricultural association that has been placed on the department's "Fairs on the Watch Program."

Organization	Position	Priority	Assigned	Subject
CARF	Watch			

AB 1915 (Chu D) Electrical corporations: deenergization events.

Current Text: Introduced: 1/9/2020 [html](#) [pdf](#)

Introduced: 1/9/2020

Status: 1/17/2020-Referred to Com. on U. & E.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would, if the Public Utilities Commission approves a wildfire mitigation plan that authorizes an electrical corporation to deenergize portions of the electrical grid, this bill would require the commission to adopt rules setting forth the circumstances under which a deenergization event may be undertaken and continued in effect and the appropriate geographic range of a deenergization event. Following a deenergization event, the bill would require the commission to determine whether the electrical corporation complied with the rules and also determine if the entire duration and geographic

range of the deenergization event was reasonable, as specified.

Organization **Position** **Priority** **Assigned** **Subject**
CARF Watch

AB 1916 **(Chu D) Deenergization: notification: languages.**

Current Text: Introduced: 1/9/2020 [html](#) [pdf](#)

Introduced: 1/9/2020

Status: 1/17/2020-Referred to Com. on U. & E.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require an electrical corporation, by July 1, 2021, to conduct a survey of its customers asking each customer the language in which the customer prefers to receive direct communications from the electrical corporation and to list any medical needs that would require accommodation during a deenergization event. The bill would require the electrical corporation to provide direct communications and updates regarding the intentional deenergization of the electrical corporation’s distribution and transmission system to each affected customer in the preferred language of that customer.

Organization **Position** **Priority** **Assigned** **Subject**
CARF Watch

AB 1974 **(Gray D) Horse racing: safety and welfare of racehorses and jockeys.**

Current Text: Introduced: 1/22/2020 [html](#) [pdf](#)

Introduced: 1/22/2020

Status: 1/23/2020-From printer. May be heard in committee February 22.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would state the intent of the Legislature to enact legislation that will further enhance and strengthen the safety and welfare of racehorses and jockeys in California.

Organization **Position** **Priority** **Assigned** **Subject**
CARF Watch

AB 1975 **(Bigelow R) Gaming Policy Advisory Committee.**

Current Text: Introduced: 1/22/2020 [html](#) [pdf](#)

Introduced: 1/22/2020

Status: 1/23/2020-From printer. May be heard in committee February 22.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires the California Gambling Control Commission to establish a 10-member Gaming Policy Advisory Committee composed of representatives of controlled gambling licensees and members of the general public in equal numbers. Current law requires the executive director of the commission to convene the committee, from time to time, for the purpose of discussing matters of controlled gambling regulatory policy and any other relevant gambling-related issue. This bill would make technical, nonsubstantive changes to that provision.

Organization **Position** **Priority** **Assigned** **Subject**
CARF Watch

ACA 16 **(Gray D) Gambling.**

Current Text: Introduced: 6/27/2019 [html](#) [pdf](#)

Introduced: 6/27/2019

Status: 6/28/2019-From printer. May be heard in committee July 28.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would authorize the Legislature by statute to authorize and provide for the regulation of sports wagering.

Organization **Position** **Priority** **Assigned** **Subject**
CARF Watch

SB 800 **(Dodd D) Horse racing: safety.**

Current Text: Introduced: 1/7/2020 [html](#) [pdf](#)

Introduced: 1/7/2020

Status: 1/15/2020-Referred to Com. on RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would state the intent of the Legislature to enact legislation that will address horse racing safety.

Organization **Position** **Priority** **Assigned** **Subject**
 CARF Watch

SB 879 **(Wilk R) Horse racing: racing weeks.**

Current Text: Introduced: 1/22/2020 [html](#) [pdf](#)

Introduced: 1/22/2020

Status: 1/23/2020-From printer. May be acted upon on or after February 22.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Current law, the Horse Racing Law, authorizes the California Horse Racing Board to make allocations of racing weeks, including simultaneous racing between zones, as it deems appropriate, as provided. This bill would make nonsubstantive changes to these provisions.

Organization **Position** **Priority** **Assigned** **Subject**
 CARF Watch

SCA 6 **(Dodd D) Gambling: sports wagering.**

Current Text: Introduced: 6/27/2019 [html](#) [pdf](#)

Introduced: 6/27/2019

Status: 7/10/2019-Referred to Coms. on G.O. and E. & C.A.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would authorize the Legislature by statute to authorize and provide for the regulation of sports wagering.

Organization **Position** **Priority** **Assigned** **Subject**
 CARF Watch

Total Measures: 20
Total Tracking Forms: 20



CALIFORNIA AUTHORITY OF RACING FAIRS
STATEMENT OF NET POSITION
December 31, 2019

	CURRENT YTD	PRIOR YTD
	12/31/19	12/31/18
ASSETS		
Cash - LAIF & Investments	198,132	660,014
Cash - Operating/Money Market	835,149	517,135
Cash - Trust	718,191	624,880
Marketable Securities	0	0
A/R - Member Dues	62,850	62,060
A/R - Programs South	58,782	44,506
A/R - Racing Fairs & Settlements	546,144	1,103,857
A/R - Other Receivables CMC,DRF,GGF	14,953	15,623
RECEIVABLE FROM HORSEMEN UNSECURED	0	0
Prepays/Deposits	62,926	60,043
OPEB Assets	396,579	396,579
Total Current Assets	<u>2,893,706</u>	<u>3,484,698</u>
Fixed Assets		
AUTOMOBILE	(0)	(0)
COMPUTER HARDWARE/SOFTWARE	6,752	6,048
Total Fixed Assets (Net of Depr.)	<u>6,752</u>	<u>6,048</u>
TOTAL ASSETS	<u>2,900,458</u>	<u>3,490,746</u>
DEFERRED OUTFLOWS - OPEB	1,623	1,623
DEFERRED OUTFLOWS - PENSION GASB68	198,441	198,441
TOTAL ASSETS	<u>2,900,458</u>	<u>3,490,746</u>
LIABILITIES		
A/P & Withholdings	196,098	726,274
Compensated Leave Accruals	27,013	27,013
A/P - Program Royalties to Host	6,672	12,151
Racing Distributions	558,854	66,383
Purses	(880,705)	(520,802)
AB460 1%/RTM	0	1,829
Horsemen's Recruitment Programs	39,582	42,749
LOU-5 - Symposium Funds	0	0
Revenue Generating Project Funds	330,437	419,690
Racing Operations Augmentation Funds	467,757	561,732
Change Fund	1,014,000	1,014,000
FAIRS - Equipment Replacement Funds	126,469	142,218
NET PENSION LIABILITY, GASB68	697,111	697,111
NET OPEB LIABILITY	0	0
TOTAL CURRENT & NONCURRENT LIAB.	<u>2,583,286</u>	<u>3,190,350</u>
DEFERRED INFLOWS - OPEB	71,713	71,713
DEFERRED INFLOWS - PENSION GASB68	154,339	154,339
NET POSITION		
Agency Fund Equity	715,979	693,134
Reserves - PENSION GASB68	(653,009)	(615,878)
Reserves, OPEB GASB 75	211,438	211,438
Net Income/(Net Loss)	16,777	(14,286)
TOTAL NET POSITION	<u>291,183</u>	<u>274,408</u>



**California Authority of Racing Fairs
Agency Income Statement
Preliminary Year End
December 31, 2019**

	2017 Year End Actual	2018 Year End Actual	2018 Jan-Dec YTD	2019 Jan-Dec YTD	2019 Annual Budget	2019 Budget Variance	2019 % Budget
Revenue:							
Other Revenue/OPEB trust Reimb	37,780	1,125	1,125	36,969	41,000	(4,031)	90%
Interest Income	1,448	1,593	1,593	2,045	1,000	1,045	205%
Member Dues	194,787	197,905	197,905	205,352	206,780	(1,428)	99%
CARF South Prog Admin Fee	8,456	0	0	0	10,500	(10,500)	0%
CARF Live Racing Agency Allocation	299,797	299,797	299,797	224,848	299,797	(74,949)	75%
Total Revenue	542,279	500,717	500,420	469,214	559,077	(89,863)	84%
Expenses:							
Salaries	164,859	157,218	157,218	132,276	136,384	4,108	97%
Employee Benefits	26,618	27,090	27,090	17,325	22,352	5,027	78%
Post Retirement Benefits	31,075	22,497	22,497	39,299	38,500	(799)	102%
Payroll Taxes	50,011	30,148	30,148	27,828	26,328	(1,500)	106%
Accounting Costs	16,250	20,313	20,313	16,250	17,500	1,250	93%
Audit Services	7,638	12,275	12,275	9,800	8,000	(1,800)	123%
Automobile Expense	2,610	4,529	4,529	710	4,000	3,290	18%
Contracted Services	1,864	1,338	1,338	1,931	2,000	69	97%
Depreciation	5,983	2,743	2,743	3,185	3,000	(185)	106%
Dues & Subscriptions	1,172	220	220	0	1,000	1,000	0%
Insurance Expense	52,480	47,798	47,798	48,336	56,000	7,664	86%
Legal Expenses	31,135	64,551	64,551	69,704	50,000	(19,704)	139%
Legislative Expenses	46,295	46,679	46,679	45,536	48,000	2,464	95%
Meetings Expense	4,427	3,817	3,817	2,987	4,000	1,013	75%
Misc. (Ag Day Sponsor)	415	195	195	127	1,000	873	13%
Rent - Northern Print Shop	0	0	0	0	0	0	0%
Office Supplies	16,961	18,989	18,989	16,376	18,000	1,624	91%
Postage & Shipping	777	1,422	1,422	660	1,500	840	44%
Rent (Tribute Road)	35,770	35,770	35,770	15,277	18,000	2,723	85%
Repairs & Maintenance	0	0	0	0	500	500	0%
Telephone Expense	7,356	5,755	5,755	4,736	8,000	3,264	59%
Training	129	360	360	300	1,000	700	30%
Travel Expense	5,154	3,952	3,952	4,257	8,000	3,743	53%
Total Expenses	508,977	507,655	507,655	456,899	473,065	16,165	97%
Agency Income (Loss)	33,302	(6,938)	(7,235)	12,314	86,013	(73,698)	
Southern Prog Income (Loss)	(226)	5,124	5,124	4,462	(5,500)	(11,038)	
Total Bal Sheet Net Income (Loss)	33,076	(1,814)	(2,111)	16,777	80,513	(84,736)	
GASB 68 PENSION EXPENSE	103,420	37,131	37,131	0	100,000	100,000	0%
Total Net Income after GASB68	(70,344)	(38,945)	(39,242)	16,777	(19,488)	(184,736)	0



**California Authority of Racing Fairs
Southern Region Income Statement
Preliminary Year End
December 31, 2019**

	2017	2018	2019	2019	2019	2019
	Year End	Year End	Jan-Dec	Annual	Budget	% Budget
	Actual	Actual	YTD	Budget	Variance	
Program Revenue:						
Program Sales	112,747	126,585	114,587	140,000	(25,413)	82%
Other Revenue	0	0	0	0	0	0%
Royalties/Fees Due Host	(104,517)	(121,461)	(110,125)	(135,000)	24,876	82%
Total Revenue	8,231	5,124	4,462	5,000	(538)	89%
Expenses:						
Legal Expenses	0	0	0	0	0	0%
Meetings Expense	0	0	0	0	0	0%
Misc Exp.(Storage)	0	0	0	0	0	0%
Office Supplies	0	0	0	0	0	0%
Paper Expense	0	0	0	0	0	0%
Postage & Shipping	0	0	0	0	0	0%
Printing Supplies	0	0	0	0	0	0%
Rent & Utility Expenses	0	0	0	0	0	0%
Repairs & Maintenance	0	0	0	0	0	0%
Telephone Expense	0	0	0	0	0	0%
Travel Expense	0	0	0	0	0	0%
Total Expenses	0	0	0	0	0	0%
Operating Income (Loss)	8,231	5,124	4,462	5,000	(538)	89%
CARF Admin Fee	8,456	0	0	10,500	10,500	0%
Rebate						
Income (Loss)	(226)	5,124	4,462	(5,500)	(11,038)	-81%



**California Authority of Racing Fairs
Live Racing Income Statement
Preliminary Year End
December 31, 2019**

	2017=45 days 2017 Year End Actual	2018=42 days 2018 Year End Actual	2018 Jan-Dec YTD	2019=41 days 2019 Jan-Dec YTD	2019 Annual Budget	2019 Budget Variance	2019 % Budget
Revenues:							
Reimb. From Live Racing Fairs	1,409,190	1,802,311	1,802,311	1,877,497	1,705,746	171,751	110%
3rd Party Lasik Reimb	0	59,267	59,267	72,213	65,000	7,213	111%
Operating Expenses:							
Salaries	382,135	323,933	323,933	347,164	325,647	(21,517)	107%
Employee Benefits	52,273	47,084	47,084	41,737	47,725	5,988	87%
Payroll Taxes	65,453	67,539	67,539	79,520	64,819	(14,701)	123%
Accounting Costs	48,750	44,688	44,688	48,750	48,900	150	100%
Audit Services	20,813	21,225	21,225	21,900	21,225	(675)	103%
Automobile Expense	1,042	5,199	5,199	3,848	3,000	(848)	128%
Legal Expenses	0	0	0	0	1,000	1,000	0%
Meetings Expense	437	557	557	57	1,000	943	6%
Telephone Expense	4,091	3,598	3,598	4,134	4,000	(134)	103%
Travel Expense	46,829	50,291	50,291	51,719	40,000	(11,719)	129%
Sub-Totals	621,823	564,113	564,113	598,830	557,316	(41,514)	107%
Racing Support Services:							
Announcer	25,750	25,778	25,778	22,550	32,900	10,350	69%
Condition Bk/Program Cover	11,081	9,324	9,324	9,808	15,000	5,192	65%
Racing Operations Support	61,230	107,391	107,391	126,971	95,000	(31,971)	134%
HD UPGRADE	0	0	0	0	0	0	0%
SIMULCAST MANAGEMENT	0	0	0	0	0	0	0%
TC02 Testing	21,239	23,110	23,110	56,492	22,000	(34,492)	257%
3RD PARTY LASIKS	0	59,267	59,267	56,185	65,000	8,815	86%
Marketing/Web Devel	6,870	5,120	5,120	1,931	3,000	1,069	64%
Paymaster Operations	7,124	3,674	3,674	3,983	6,500	2,517	61%
Program Production	172,986	161,162	161,162	143,528	135,000	(8,528)	106%
Racing Office System	13,417	14,992	14,992	17,189	18,800	1,611	91%
Recruitment	7,145	6,370	6,370	2,498	15,000	12,502	17%
Jumbo Screen	68,850	103,500	103,500	98,450	100,000	1,550	98%
Supplies	19,202	7,668	7,668	10,153	15,000	4,847	68%
Tattooing	19,969	13,934	13,934	20,665	17,000	(3,665)	122%
Timing/Clocker	13,113	12,606	12,606	14,541	15,000	459	97%
Transportation	1,700	2,410	2,410	2,730	3,000	270	91%
TV Production/Simulcast	156,043	190,856	190,856	333,598	180,000	(153,598)	185%
RTM ALLOCATION (MAINT)	99,129	178,537	178,537	162,723	120,000	(42,723)	136%
RTM TRANSPORTATION	78,765	78,360	78,360	76,175	75,000	(1,175)	102%
RTM PRIOR YEAR LOAN	0	0	0	0	0	0	0%
STABLING AND TRAINING	0	265,842	265,842	281,442	282,430	988	100%
RTM SUPPORT COSTS	118,460	117,609	117,609	158,443	112,800	(45,643)	140%
Sub-Totals	902,072	1,387,510	1,387,510	1,600,055	1,328,430	(271,625)	120%
Total Gross Expenses	1,523,894	1,951,623	1,951,623	2,198,884	1,885,746	(313,138)	117%
Racing Operations Augmentation Funds	75,000	75,000	75,000	0	75,000	(75,000)	0%
NCOTWINC Reimbursement	40,000	40,000	40,000	0	40,000	(40,000)	0%
RTM % Funds				249,174			
Advertising Revenue							
Total Net Expenses	1,408,894	1,836,623	1,836,623	1,949,710	1,770,745		



a California joint powers agency

1776 Tribute Road, Suite 150
 Sacramento, CA 95815
 Office: 916.927.7223 Fax: 916.263.3341
 www.calairs.com

To: CARF Board of Directors
 From: Heather Haviland
 Date: Jan. 29, 2020
 Re: **Update Regarding CARF Employee Policy Manual & Employee Handbook**

BACKGROUND

The existing CARF employee handbook was drafted in 1997. In 2012, the CARF Board adopted three CFSA formatted policies that were added to the handbook (Policy 4.1 Holidays, Policy 4.2 Vacations and Policy 4.3 Sick Leave).

In December 2016, the CARF Board adopted modified Policy 4.3 to eliminate the sick leave sell-back option.

CARF EMPLOYEE HANDBOOK UPDATES

CFSA and CFFA do not have a formal employee handbook and instead maintain an Employee Policy Manual. CFFA (a JPA like CARF) established a policy manual in February 2019 complete with legal review.

CARF has used the CFSA and CFFA policy manuals, as well as a vacation usage model from the Alameda County Fair, to draft the following policies.

TIMELINE

- Next 30 days – Receive input regarding the draft policies from CARF Board Members and CFSA Human Resources & Finance Department.
- Place policies on March CARF Board agenda for discussion/direction re: CARF legal review.
- Adoption of CARF Policy Manual by Board (March or April).
- Revise CARF Employee Handbook to reflect adopted policies – beginning of draft handbook attached.

California Authority of Racing Fairs

EMPLOYEE POLICY & PROCEDURES MANUAL

Adopted:

Revised:

DRAFT

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SUBJECT:

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AT-WILL EMPLOYMENT**I. PURPOSE**

To provide a definition of at-will employment for all employees of the California Authority of Racing Fairs (CARF).

II. POLICY

All CARF employees are “at-will” employees. This means that CARF or the employee can terminate the employment relationship at any time, with or without cause and with or without notice.

All CARF employees are required to read and sign an “Acknowledgement of Receipt” form, which acknowledges that they have reviewed this Policy No. 010 and other CARF personnel policies, and that they understand that their employment with CARF is at-will. The acknowledgment form should be signed and returned to the Human Resources Administrator and a copy will be maintained in the employee’s records.

DRAFT

SUBJECT:

EST: TBD 2020

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EQUAL EMPLOYMENT OPPORTUNITY**I. PURPOSE**

To preserve an employment environment free from discrimination as prohibited by law.

II. POLICY

CARF maintains a policy of non-discrimination with employees and applicants for employment. CARF provides fair and equal employment opportunity (EEO) for all, without regard to color, ethnicity, disability, medical condition, religion, gender, gender identity, marital status, national origin, age (40 years or older), sexual orientation or any other consideration made unlawful by federal, state or local law. This right of Equal Employment Opportunity (EEO) extends to recruitment, hiring, selection, transfer, promotion, training, discipline and all other conditions of employment. It is the responsibility of all Supervisors to assure the application of the EEO policy in their area of control.

DRAFT

SUBJECT:

EST: TBD 2020

Page 1 of 2

DEFINITIONS OF EMPLOYMENT STATUS**I. PURPOSE**

To help provide uniformity and equity in applying Human Resources (HR) policies and benefits.

II. POLICY

CARF maintains standard definitions of employment status and classifies employees for purposes of HR administration, benefits eligibility, and related payroll transactions according to the following definitions:

- A. Exempt. Management, supervisory, professional and administrative employees whose positions meet specific tests established by the Fair Labor Standards Act (FLSA). These employees are ineligible to receive overtime pay. However, supervisory, professional and administrative employees may be eligible to earn compensatory time off. (See Policy No. 080 and Policy No. 090).
- B. Non-Exempt. Employees whose positions do not meet FLSA exemption tests and who are eligible for overtime pay in accordance with the FLSA.
- C. Full-Time. Employees scheduled to work 40 hours per week. Full-time employees are eligible for all benefits offered by CARF.
- D. Part-Time. Employees scheduled to work less than 40 hours per week. Part-time employees scheduled to work less than 20 hours per week are ineligible for CARF benefits.
- E. Orientation Period Employee. In most cases, a new employee with less than 90 days of service (See Policy No. 050, New Employee Orientation Period). Restrictions are placed on benefits of orientation employees, and they are subject to different disciplinary rules.
- F. Regular. Employees who have completed the 90-day orientation period.
- G. Temporary. Employees who are hired for a pre-established period. They may work a full-time or part-time schedule. After a temporary employee has worked 1,000 hours in a calendar year, CARF will enroll the employee into CalPERS.

SUBJECT:

EST: TBD 2020

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DEFINITIONS OF EMPLOYMENT STATUS

- H. Limited Duration Contract Employee. Employees who provide contract services on a temporary basis for a specific project or projects for a pre-established period of time. Their employment is governed by a Limited Duration Employment Contract. (In some cases, limited duration contract employees may receive benefits, as specified in their employment contract.)

- I. CalPERS Retired Annuitant. CalPERS retirees who are hired in accordance with rules set forth in the California PERS Procedures Manual, Employment of a Retiree. These employees are hired for a specific project or projects, for a pre-established period of time. Their employment is governed by a Limited Duration CalPERS Retired Annuitant Employment Contract. CalPERS Retired Annuitants are not eligible for benefits. CalPERS Retired Annuitants are restricted to working no more than 960 hours per fiscal year for all CalPERS agencies.

- J. Independent Contractor. An independent contractor is engaged to perform a specific project for a pre-established period of time and at a specified recompense. The terms of CARF's relationship with an independent contractor are governed by a written agreement. Independent contractors control the manner and means of performing the work contracted for and will generally establish their own hours, work out of their own workplace, and provide their own materials and supplies. Independent contractors are not "employees" of CARF and this manual does not apply.

SUBJECT:

EST: TBD 2020

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EXEMPT/NON EXEMPT EMPLOYEE STATUS**I. PURPOSE**

To define exempt and non-exempt employee status and to provide guidelines for determining this status according to law.

II. POLICY

Employees may be exempted from the overtime provisions of the Fair Labor Standards Act (FLSA) based on job duties and responsibilities. In the most general terms, employees whose duties involve exercising skills and following procedures and who work under close or frequent supervision, such as employees performing manual or clerical jobs, are considered non-exempt (eligible for overtime pay).

Employees whose duties are more conceptual in nature, who work independently, and who exercise significant judgment and discretion in decision making, such as managers and professionals, are considered exempt from overtime pay.

Three classes of exemptions exist: (1) executive, (2) administrative, and (3) professional. For each exemption, a specific set of criteria must be met in order for the employee to fall within that exemption. These criteria are outlined in Section IV, Checklist, below.

All exemptions are subject to a rule of "strict construction," that is, any doubt must be resolved in favor of the employee being identified as non-exempt. The burden of proof lies with the employer to substantiate an exemption.

The Executive Director will review all job descriptions and make the determination as to exempt and non-exempt status for each position, pursuant to Section III, Procedure, below.

III. PROCEDURE

- A. Job Audit. To properly assign exempt or non-exempt status to a position, one must have a thorough understanding of the position's job duties. A job audit should be conducted to gather current information on the specific tasks being performed and the amount of time being spent on each task.
- B. Checklist. The Checklist for Determining Exempt/Non-Exempt Status will be completed for each position. Note that for any one of the three exemptions to apply, all criteria for that exemption must be met - that is, all boxes must be checked for the position to meet that exemption.

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EXEMPT/NON EXEMPT EMPLOYEE STATUS

- C. Verification. Where there is any doubt or dispute, more information will be sought from an attorney specializing in labor law, and/or from the Wage and Hour Division of the U.S. Department of Labor, prior to reaching a final decision.

IV. EXEMPT/NON-EXEMPT CHECKLIST

Criteria for exemption as an EXECUTIVE: (all boxes must be checked.) Check the box if the employee:

- Has as his/her primary duty the management of the enterprise or of a recognized department or subdivision.
- Customarily and regularly directs the work of two or more other full-time employees.
- Has the authority to hire and fire employees, or to make recommendations regarding hiring, firing, advancement, or any other change of status of employees.
- Customarily and regularly exercises discretionary powers.
- Devotes no more than 20% of hours worked to activities which are not directly and closely related to managerial duties.
- Is paid on a salaried basis at least \$455 per week

Criteria for exemption as an ADMINISTRATIVE employee: (all boxes must be checked.) Check the box if the employee:

- Has as his/her primary duty the performance of responsible office or non-manual work directly related to management policies or general business operations.
- Customarily and regularly exercises discretion and independent judgment.
- Regularly and directly assists a bona fide executive or administrative employee; or

Performs work under only general supervision along specialized or technical lines requiring special training, experience or knowledge; or

Executes special assignments and tasks under only general supervision.

SUBJECT:

EST: TBD 2020

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EXEMPT/NON EXEMPT EMPLOYEE STATUS

- Devotes no more than 20% of hours worked to non-exempt tasks that is, those which are not directly and closely related to the administrative duties.
- Is paid on a salaried basis at least \$455 per week.

Criteria for exemption as a PROFESSIONAL employee: (All boxes must be checked.)

Check the box if the employee:

- Has as his/her primary duty the performance of work which requires knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study, as distinguished from a general academic education and from an apprenticeship, and from training in the performance of routine mental, manual or physical processes; or
- Has as his/her primary duty the performance of work which is original and creative in character in a recognized field of artistic endeavor, and the result of which depends on the invention, imagination, or talent of the employee.
- Performs work which requires the consistent exercise of discretion and judgment.
- Performs work which is primarily intellectual and varied in character (as opposed to routine mental, manual, mechanical or physical work) and whose output or result cannot be standardized in relation to a given period of time.
- Devotes no more than 20% of hours worked to tasks which are not an essential part of and necessarily incident to the work described above.
- Is paid on a salaried basis at least \$455 per week.

NOTE: These checklists were compiled using the FLSA Exemption Tests in effect as of January 2019. It is the responsibility of CARF staff to periodically review and update these lists as necessary.

SUBJECT:

EST: TBD 2020

Page 1 of 1

NEW EMPLOYEE ORIENTATION PERIOD**I. PURPOSE**

To provide an orientation period of on-the-job work experience during which a new employee and CARF may evaluate employment suitability in terms of knowledge, skill, ability, interest and compatibility.

II. POLICY

New employees will serve an orientation period of at least 90 days from the date of hire. This period is used to determine whether the employment relationship should continue. During the orientation period, the employee's performance will be evaluated. If CARF determines that a satisfactory performance level cannot be achieved through a reasonable amount of training and coaching, the employee will be released immediately.

III. PROCEDURE

- A. The Executive Director will be responsible for all training and evaluation during the employee orientation period.
- B. Written performance appraisals will be conducted after 30,60 and 90 days. Informal coaching and feedback should be provided on a daily or as needed basis.
- C. Upon satisfactory completion of the orientation period, employees will move to regular status.
- D. At the discretion of the Supervisor, an employee's orientation period may be extended up to an additional 90 days.
- E. If, during the orientation period, unsatisfactory performance does not improve sufficiently the employee will be immediately released from CARF.

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PERSONNEL RECORDS AND PRIVACY**I. PURPOSE**

To set responsibilities and procedures for controlling the release of information contained in the personnel files of CARF employees in order to respect and maintain their privacy and confidentiality.

II. POLICY

CARF senior personnel will develop, maintain, and securely store a personnel file for each CARF employee. A separate confidential file will be kept regarding any CARF employee Workers' Compensation information (claims, settlements, etc.). CARF will process requests for information from the personnel files to ensure that: information is released only to authorized parties and pursuant to applicable laws; only authorized information is kept in the files; and that the employees' rights to privacy and confidentiality are maintained.

III. PROCEDURE

- A. Only information relating directly to the employee's position, his/her background, performance and any other aspect of employment should be included in the employee's personnel file.
- B. All requests received by a CARF employee for information from personnel files shall be referred to the Executive Director for handling. Subpoenas and other legal requests will be sent to the Executive Director and legal counsel.
- C. Employee profile changes, (e.g., new address, telephone number, births or other new dependents, marriage, legal separation, divorce, must be reported immediately to the Executive Director. It is the employee's responsibility to submit this information to CARF in a timely fashion as the employee's income tax status and group insurance may be affected by these changes. Completion of the CARF "Personnel Records Update" Form (**CARF FORM 50**) is required as soon as the information is available, but no later than one week from the effective date of the change.
- D. Any request for employment or salary verification, a personnel recommendation, or credit evaluation of a CARF employee or former employee must be referred to the Executive Director, who will require that the request be placed in writing. CARF may respond to such requests only if written authorization and release is provided by the employee. CARF's response shall be made in writing.

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PERSONNEL RECORDS AND PRIVACY

Unless otherwise required by law, the release of information to third parties will be limited to the following: a) Dates of employment (beginning and ending); b) Employee's job title and status of full-time, part-time, or temporary; and c) Verification of salary.

- E. Examination of an employee's personnel file may be accomplished in accordance with applicable law at reasonable times during office hours under the following conditions:
1. Employee or Former Employee. CARF will comply with the requirements of the California Labor Code allowing an employee or former employee to inspect and/or obtain a copy of their personnel file. Upon written request by the employee the employee may inspect the contents of the personnel file in the presence of the Executive Director. The employee may request a copy of the personnel file in writing. Any employment references, records relating to pending discipline or open investigations or any other records excluded by law are not available for review.
 2. Government Inquiries. CARF will cooperate with federal, state and local government agencies investigating an employee if the investigators furnish proper identification and proof of legal authority to investigate. The Executive Director may permit a government investigator to review a personnel file.
 3. For all inspections, the review date, reviewer, and the contents reviewed and/or copied will be recorded by the Executive Director. Nothing from the file may be removed.
- F. Information relative to the extent of employee's benefits coverage and equity in benefit plans will be released only to the employee. Exceptions will be made when necessary to affect such benefits with providers, or as otherwise required by law.
- G. Personnel records file may contain the following documents:
1. Application, signed and dated (by Personnel and Employee)
 2. Offer letter, signed and dated (by Personnel and Employee)
 3. Reference checks
 4. Verification of Education or other license requirements

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5. Form W-4
 6. Updated personnel information or the Personnel Records Update Form
 7. Receipt and understanding of job description acknowledgement
 8. Salary and personnel status actions (Personnel Action Request Form signed and dated)
 9. Counseling and Discipline Forms, signed and dated (per occurrence)
 10. Performance Evaluation Forms, signed and dated (per occurrence)
 11. Termination or resignation letter, signed and dated (upon separation)
 12. Acknowledgement by employee of receipt of appropriate information, upon separation i.e., COBRA, unemployment, etc.
 13. Exit Interview Form and checklist (upon separation)
 14. Requests to Inspect File
 15. I-9 forms with supporting documents
 16. Copy of employee's driver's license
- H. All documentation of performance problems, or other communications, must have been reviewed and signed by the employee in acknowledgement of receipt.
- I. Originals of personnel records will be maintained by CARF in the personnel files for a period of seven years after an employee's separation date.

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WORK HOURS AND PAYDAYS**I. PURPOSE**

To establish CARF's business hours, work week and core hours to allow for flexible scheduling and to establish pay periods and paydays to administer the payment of wages, salaries and overtime for work performed.

II. POLICY

A. **Business Hours and Work Week:** CARF will be open for business from 9:00 a.m. to 5:00 p.m. PDT every day except Saturdays, Sundays and recognized CARF holidays. Due to the number of employees, travel requirements and Wednesday-Sunday racing schedule, CARF will utilize an outside agency for receptionist duties to maintain consistent business hours as needed.

1. The work week for full-time employees shall be 40 hours. The work week begins at 12:01 p.m. (noon) on Friday and ends at 12:00 p.m. (noon) the following Friday, except for any employee working an 80-hour schedule over nine days (see Section B.2. below) and taking his/her 9/80 day off on a day other than Friday, that employee's work week shall begin at 12:01 p.m. on his/her scheduled day off. No employee shall work in excess of 40 hours in any given work week without approval of their immediate supervisor.
2. Employees will be required to work outside of established business hours, including but not limited to, for race meets or other business travel. Some positions require more travel and work outside of business hours than others and the employee should refer to his\her job description.

B. **CARF Core Hours:** All flexible work schedules, with the exception of an approved alternate work schedule (see Section B.2. below), must work around CARF's established core hours of 10:00 a.m. to 3:00 p.m. Monday through Friday, during which time all employees must available for work.

1. **Flexible Work Hours (Flex Time).** Flexible work hours allow employees to work a set core period of hours and flex the beginning and ending times. Requests for an earlier start and departure time or later start and departure time within an eight-hour day may be authorized by a supervisor provided that:
 - a. All employees in the department are afforded an opportunity to alter their start time.

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WORK HOURS AND PAYDAYS

- b. The starting and ending times are within the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday, working at least eight hours per day, five days a week (for full-time employees).
 - c. The hours are consistently followed and flexible work hours are accepted and recognized by management and the respective department.
 - d. The flexible work hours do not hinder the functioning of the department or create hardships on other employees.
 - e. The requesting employee completes a CARF Request for Flexible Work Hours Form and submits the request to his/her supervisor for approval. A copy of the completed request will be placed in the employee's personnel file.
 - f. A flexible work hour schedule may be terminated by management at any time for failure to comply with or to meet any of the criteria for initial approval or due to a change in CARF policy or needs.
2. **Alternate Work Schedule.** An alternate work schedule is a fixed work schedule for regular full-time employees other than the standard eight hours per day, five days per week. Regular part-time employees may not work an alternate work schedule. CARF recognizes the following alternate work schedules:
- a. Four 10-hour days each week – “4/10”.
 - b. Nine hours each day for eight days, and one day at eight hours – “9/80”.
 - c. Employees working an alternate work schedule may not exceed 10 hours per day or 45 hours per work week, not including required overtime for non-exempt employees or CTO for exempt employees.
 - d. Changing the number of hours worked and the number of days per work week will be considered on an individual and departmental basis for all exempt and non-exempt regular full-time employees, as long as the requirements of this policy are met. An alternate work schedule may be authorized by a supervisor provided that:

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- 1) The department is staffed during CARF's business hours from 9:00 a.m. to 5:00 p.m. to meet and maintain the needs of the clients, the department, and CARF.
 - 2) The requested alternate work schedule does not increase CARF's costs, result in delays of service or cause inefficiencies.
 - 3) All regular full-time employees in the department are afforded an opportunity to choose an alternate work schedule.
 - 4) The employee's alternate work schedule is recognized and accepted by CARF.
 - 5) The employee's alternate work schedule shall be the same for each work week.
 - 6) Employees must have at least a thirty (30) minute meal break each day.
 - 7) The requested alternate work schedule must not hinder an employee's performance of duties.
 - 8) The supervisor's ability to monitor work performance must not be impacted.
 - 9) The alternate work schedule is consistently adhered to for at least three (3) months.
- e. **Procedure for Requesting Alternate Work Schedule.** All requests for alternate work schedules will require the following:
- 1) Employees must complete a CARF Request for Alternate Work Schedule Form and submit the request to their supervisor.
 - 2) Supervisors are responsible for assessing the workload and staffing in their departments to determine the feasibility of alternate work schedules. The alternate work schedule request must be approved or denied by both the supervisor and the manager of the respective department.
 - 3) The supervisor shall return the completed CARF Request for Alternate Work Schedule Form to the employee, with copies to the department manager and to the HR Administrator.

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- 4) If approved, alternate work schedules will be initially approved for a three-month "trial" period.
 - 5) Alternate work schedules may be terminated by management at any time if the employee fails to comply with or to meet the criteria for initial approval or due to a change in CARF policy or needs.
- B. **Lunch and Rest Periods.** All non-exempt and exempt employees must take an unpaid lunch period of at least one-half hour each day worked. Non-exempt employees also receive two paid 15-minute rest periods, or breaks. One break should occur approximately mid- morning and another approximately mid- afternoon. The timing of breaks is subject to supervisory approval, depending on each department's work needs.
- C. **Paydays.** The two-week payroll period runs from Sunday of one week through Saturday of the following week. Employees are paid the first Tuesday following each two-week pay period for all time worked through the preceding payroll period. A notice specifying regular paydays and the time and place of payment shall be posted at the work place
- D. **Timekeeping.** Each employee is responsible for ensuring that his/her time report/timesheet is accurate and complete. Falsification of time report/timesheets or completion of information on another employee's time report/timesheet is subject to disciplinary action, up to and including immediate termination.
1. An exempt employee must account for all certified time off/holiday/vacation/personal holiday/sick taken in a work day determined by the employee's selected work week schedule. A non-exempt employee must account for all work hours in a work day determined by the employee's selected work week schedule.
 2. Employees who work an alternate work week will only receive eight (8) hours holiday credit for each recognized CARF holiday.
 3. If an employee has already worked the required forty (40) hours in a work week and the holiday occurs on the employee's day off, the employee will receive an additional eight (8) hours of holiday credit.
 4. If the employee works either a nine (9) or ten (10) hour day and the holiday falls on an employee's scheduled work day, the employee

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receives the eight (8) hours of holiday credit and must use accumulated holiday credit, vacation, or CTO to supplement the additional time required to complete the employee's designated work day.

5. Department managers or supervisors will be responsible for review and approval of all timecards/timesheets.
 6. Timecard/timesheets are due in the Finance Department no later than 10 a.m. Monday prior to Tuesday's payday.
- E. **Payroll Deductions.** State and federal payroll taxes will be withheld from each employee's paycheck in accordance with law. PERS retirement contributions and voluntary, authorized deductions including health benefits, insurance premiums, credit union contributions, etc. may also be withheld from an employee's paycheck.

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**COMPENSATORY TIME OFF (CTO):
MANAGERIAL EXEMPT EMPLOYEES****I. PURPOSE**

To outline the circumstances under which management employees may earn compensatory time off (CTO).

II. POLICY

It is expected that management employees (e.g. Department Managers, key supervisors) work the hours required to ensure the success of their department. At the discretion of the Executive Director, it may be appropriate to grant CTO to management employees in exchange for excessive work hours during critical periods, major projects or special assignments, and/or periods of significant short-staffing.

III. PROCEDURE

Managerial exempt employees will follow the same procedures as nonmanagerial exempt employees except pre-approval must be obtained from the Executive Director. (See Policy No. 090, Section III, Procedure.)

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COMPENSATORY TIME OFF (CTO): NON-MANAGERIAL EXEMPT EMPLOYEES**I. PURPOSE**

To provide a compensatory time off program as a benefit to non-managerial exempt employees when they are required to work more than eight (8) hours per day to meet CARF's business demands. This is a voluntary benefit provided by CARF and is not required by law.

II. POLICY

Exempt employees are expected to work additional hours on occasion without additional compensation. When extended hours in excess of eight (8) hours per day are required by a supervisor, an exempt employee may receive compensatory time off (CTO).

When an exempt full-time or part-time employee is required to work over and above eight (8) hours in a day, the department manager/supervisor and the employee may agree to compensatory time off up to but not exceeding one (1) times the hours worked. All compensatory time must be shown on the employee's time sheet. This policy does not apply to the ninth hour of work being performed by an employee under a 9/80 work schedule.

III. PROCEDURE

- A. An employee becomes eligible to participate in this program when he/she has worked in excess of eight (8) hours in a day. Paid time off for holidays, jury duty, vacation, sick leave, or any leave of absence will not be considered hours worked. For a non-managerial exempt employee working a 9/80 schedule, that employee becomes eligible to participate in this program when he/she has worked in excess of nine (9) hours in a day.
- B. Employees must obtain pre-approval from the department manager to accrue and use CTO. CTO can only be accrued for additional hours necessary to conduct CARF work. Employee requests to work and accrue additional hours for personal reasons will not be authorized.
- C. Employees must record CTO on timesheets as "Preapproved CTO Earned" and "Preapproved CTO Taken." By approving the timesheet the supervisor is verifying that the amount claimed equals the amount approved. CTO shall accrue when (pre-approved) time is worked:
 1. In excess of eight (8) hours per day. For non-managerial exempt employees working a 9/80 schedule: in excess of nine (9) hours per day.

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COMPENSATORY TIME OFF (CTO): NON-MANAGERIAL EXEMPT EMPLOYEES

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- 2. On a scheduled non-work, e.g., holidays or weekends.

- D. Employees may accrue up to a maximum of 120 hours of CTO at any given time.

- E. CTO hours must be used by the employee before vacation hours are used for time away from work.

- F. CTO cannot be used to extend a separation date.

- G. Unused CTO is not paid to the employee upon separation from CARF.

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OVERTIME: NON-EXEMPT EMPLOYEES

I. PURPOSE

To provide guidelines for administering overtime pay to comply with applicable wage and hour statutes and regulations.

II. POLICY

CARF's overtime pay policy complies with the overtime provisions of the Federal Fair Labor Standards Act (FLSA). Exemption from these provisions will be claimed for an employee only when it is established that the employee's duties and responsibilities meet the requirements for such exemption. (See Policy 020, Definitions of Employment Status, and Policy 110, Exempt/Non-Exempt Employee Status.) As a local public agency subject to the limitations placed upon **XXXXXXXXXXXX County**, CARF is subject to the FLSA and is not subject to the overtime provisions of the California State Industrial Welfare Commission Wage Orders.

III. PROCEDURE

Only actual hours worked will be used to calculate overtime pay. Paid time off for holidays, jury duty, vacation, sick leave or any leave of absence will not be considered as hours worked. Overtime pay policies for employees includes the following principle elements:

- A. Non-exempt employees will be paid straight time for all hours worked up to forty (40) regular hours in one work week.
- B. Overtime worked by non-exempt employees must be authorized in advance by the Executive Director.
- C. Non-exempt employees will be paid one-and-one-half times the base pay rate ("time-and-a-half") for hours worked in excess of forty (40) regular hours in a work week. Only time physically worked during the work week is counted towards hours in excess of the 40 hours and will be paid at the overtime rate. For example, vacation time, sick leave or other leave used during the work week do not count toward overtime.
- D. Overtime pay will be paid with regular pay during the regular pay period.
- E. Department Managers and Supervisors are strictly prohibited from engaging in the following practices for non-exempt employees:

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OVERTIME: NON-EXEMPT EMPLOYEES

1. Allowing employee to work without recording the exact time of work accurately on the employee's timesheet.
2. Allowing an employee to make up time missed from work on one day, by working the time on another day, without accurate recording of time for each day on the employee's timesheet.
3. Allowing an employee to work at home.
4. Failing to pay at least time and one-half for any time worked over forty (40) hours in any one work week.

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HOLIDAYS

REV: TBD 2020

I. PURPOSE

To provide a competitive paid time-off benefit to recognize traditional holidays.

II. POLICY

A. Regular full-time employees and regular part-time employees working 20 hours or more per week are eligible for holiday pay. Part-time employees will be eligible for holiday pay only on scheduled work days and only for the number of hours normally scheduled to work.

B. The following days are recognized as CARF paid holidays:

<u>Holiday</u>	<u>Date Observed</u>
New Year's Day	January 1
Martin Luther King Jr. Birthday	Third Monday in January
Presidents Day	Third Monday in February
Cesar Chavez Day	March 31
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veterans Day	November 11
Thanksgiving Day	Fourth Thursday in November
Friday Following Thanksgiving	Fourth Friday in November
Christmas Eve	December 24
Christmas Day	December 25
Personal Holidays (2) [Exempt/Nonexempt]	To be selected by the employee
Personal Holidays (3) [Managers]	To be selected by the employee

C. CARF paid holidays which fall on a Saturday will be observed on the preceding Friday; paid holidays which fall on a Sunday will be observed on the following Monday.

D. To be eligible for holiday pay, an employee must work or receive paid time off for the last regularly scheduled workday preceding the holiday and the first regularly scheduled workday following the holiday.

E. If a CARF paid holiday falls during an employee's scheduled vacation, the holiday will not be counted as vacation taken.

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- F. An employee who separates or commences an unpaid leave of absence on the last scheduled workday preceding a holiday will not receive holiday pay.
- G. Non-exempt employees required to work on a scheduled holiday will be paid their regular rate for hours worked, in addition to their regular holiday pay.
- H. A paid holiday will not be credited as a regular work day for computation of weekly overtime.
- I. Exempt employees required to work on a holiday will be given another day off at a time mutually convenient to the employee and CARF.

J. PERSONAL HOLIDAY

- 1. Personal holidays are intended to be used to observe predictable days or personal significance such as religious holidays, birthdays, weddings or other special occasions. Employees must schedule these days each year with their supervisor as far in advance as possible and seniority will prevail.
- 2. If a full-time employee's date of hire is prior to March 31, a manager will receive three (3) personal holidays and an exempt/nonexempt employee will receive two (2) personal holidays for the year. When a manager is hired after March 31, and prior to September 30, the manager will receive two (2) personal holidays. When an exempt/nonexempt employee is hired after March 31, and prior to September 30, the employee will receive one personal holiday. Employees hired after September 30 will not be eligible for any personal holidays for that calendar year. Eligible part time employees hired on or prior to September 30 will receive one personal holiday and eligible part time employees hired after this date will not be eligible for a personal holiday for that calendar year.
- 3. Full-time managers are credited with three (3) personal holidays and full-time exempt/nonexempt employees are credited with two (2) personal holidays on January 1, of each calendar year and must be used by December 31 of that same year.
- 4. Employees who do not use all of their personal holiday time by the end of the calendar year will forfeit their personal holiday time.

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5. Part-time employees working 20 hours or more per week ("eligible part-time employees") are credited with one (1) personal holiday on January 1 of each calendar year, which must be used by December 31 of that same year.

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VACATION ACCRUAL AND USAGE

REV: TBD 2020

I. PURPOSE

A traditional paid time-off benefit that will provide time away from work and support CARF's goals to attract and retain quality employees.

II. POLICY

CARF encourages each eligible employee to take an annual vacation as paid time off away from work. Vacation leave credits can be accrued to a maximum of 440 hours (55 days).

CARF does not provide vacation pay unless vacation time is taken as time off from work, the employee has exceeded the vacation cap, the employee exercises eligibility for buy back or the employee separates from CARF.

III. PROCEDURE

- A. Vacation may be accrued up to 440 hours (55 days). To accrue vacation hours an employee must be on paid time throughout the pay period. For vacation liquidation purposes, vacation will accrue from November 1 to October 31 of each calendar year.
- B. Accrued vacation hours may be used to augment exhausted sick leave. However, sick leave cannot be used to augment vacation.
- C. When an employee's vacation credits will exceed 440 hours as of December 1 in any given year, an employee may choose one of the following options to eliminate excess vacation credits:

OPTION I – VACATION LIQUIDATION PLAN

1. Employees will be required to submit a vacation liquidation plan (CARF Form: Vacation Liquidation Plan) to his/her supervisor for approval. This plan would allow the employee to use those hours exceeding the vacation cap before Dec. 31 of the same year and/or cash out the excess hours (see Option II). No vacation hours in excess of the annual cap of 440 hours will be carried over into a new calendar year.
2. The employee's liquidation plan, approved by his/her supervisor, must be submitted to the Executive Director for review by November 7.

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OPTION II – CARF VACATION BUY BACK PROGRAM

1. If an employee has taken 40 hours of vacation in the current year (see Section III Procedure A), up to 80 hours may be cashed out.
2. If an employee has taken 80 hours of vacation in the current year (see Section III Procedure A), up to 120 hours may be cashed out.
3. If an employee has taken 120 hours of vacation in the current year (see Section III Procedure A), up to 160 hours may be cashed out.
4. Vacation hours may be cashed out at 100% of the regular pay rate by November 15 of each calendar year. Employee electing to sell vacation hours must complete CARF Form: Vacation Liquidation Plan to the Executive Director no later than November 7.
5. At the discretion of the Executive Director, participation in the Vacation Buy Back Program may be open to all CARF employees who will maintain a vacation balance of 80 hours going into the next calendar year.

IV. ELIGIBILITY

- A. An eligible employee's entitlement to earn vacation is based on the employment anniversary date.
- B. The following schedule specifies the amount of vacation leave credits earned by full-time exempt, nonexempt and managerial employees for a corresponding period of continuous service:

<u>Length of Service Completed</u>	HOURS EARNED PER PAY PERIOD		
	Non-Exempt	Exempt Non-Managerial	Exempt Managerial
First 12 Months	3.08	4.81	5.95
13-60 Months (5 Years)	4.31	6.04	7.08
61-120 Months (10 Years)	5.54	6.65	7.69
121-180 Months (15 Years)	6.15	7.27	8.31
181-240 Months (20 Years)	6.77	7.88	8.92
241-360 Months (30 Years)	7.38	8.65	9.69
361 Months and Greater	8.92	9.42	10.46

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VACATION ACCRUAL AND USAGE

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- C. Newly hired employees accrue vacation leave credits from date of hire. However, an employee is not eligible to take accrued vacation until the orientation period has been completed. The Executive Director may approve a higher-earned rate for new employees at the time of hire.
- D. Regular, part-time employees working 20 hours per week or more accrue their vacation allowance on the same basis as full-time employees, except it is prorated according to the number of hours they work. Part-time employees working less than 20 hours per week are not eligible for vacation unless they participate in the California Public Retirement System.
- E. Vacation leave credits are not earned during any unpaid leave of absence. Vacation will be prorated for employees on State Disability Insurance (SDI) or Workers' Compensation (WC) provided they use at least 20 hours per week of vacation or sick leave credits to supplement their SDI or WC payment.
- F. Unused vacation leave credits will be paid to employees upon separation at the employee's regular rate of pay earned on the date of separation.

V. SCHEDULING

- A. CARF requires employees to take a minimum of five working days off, in addition to annual paid holidays (see POLICY 311 Holidays), either with Compensatory Time Off or vacation, each calendar year. CARF strongly encourages employees to take at least ten working days off in addition to annual paid holidays to provide employees with adequate rest and time away from work. Vacation or CTO may be taken by separate weeks or by days.
- B. Vacation leave credits must be used in a minimum of one-half hour increments.
- C. When an employee wishes to take time off work for either vacation or use of Compensatory Time Off and prior to actual time being taken off, the employee must request the time off in written communication (email is accepted). Time off cannot be taken without supervisor approval.
- D. Selection of vacation dates is subject to approval of the employee's supervisor. Preference in selection of dates will be granted based on department work needs and length of employee service with CARF.
- E. If a CARF paid holiday falls during an employee's vacation, the holiday will not be counted as vacation taken. The employee may extend the vacation by one day or take the vacation day at a later date.

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VACATION ACCRUAL AND USAGE

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- F. Vacation dates must be scheduled and approved by the employee's supervisor. Each manager/supervisor will maintain a department schedule and record of the vacation time taken by each employee.

VI. CATASTROPHIC LEAVE DONATIONS

CARF recognizes that circumstances may arise when an employee needs to take extended periods of time off from work due to personal and/or family illness. In order to assist employees during these times of need, CARF employees may donate vacation hours to other CARF employees who are in need of additional hours for time off related to personal and/or family illness. CARF employees donating time may donate as many hours as they wish as long as they maintain a balance of 80 hours.

Donated hours are calculated on an hour-for-hour basis, not on the cash value of the vacation hours.

CARF employees wishing to donate time must submit a CARF Catastrophic Leave Donation form to the HR Administrator for approval.

Recipients of donated time are prohibited from participating in the Vacation Buy Out Program until such time as they have depleted all accrued and donated vacation hours and have once again accrued an excess of 80 hours.

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SICK LEAVE

REV: Dec. 7, 2016 & TBD 2020

I. PURPOSE

To provide paid sick leave benefits for eligible employees for to use as required by Healthy Workplaces, Healthy Families Act ("HWHF Act").

II. POLICY

"Sick leave benefit" is paid compensation which can be used alone or combined with some other paid leave to equal the employee's regular rate of pay. Sick leave may be accrued in an unlimited amount.

Sick leave can be used for the diagnosis, care or treatment of an existing health condition or preventative care for the employee or for a family member as defined under the HWHF Act. "Family member" includes a spouse, registered domestic partner, child, sibling, parent, parent-in-law, grandparent, grandchild, foster child, foster parent or others as provided by law.

III. PROCEDURE

A. Amount of Benefit. During absence from work caused by an existing health condition or preventative care for the employee or family member, an eligible employee's wage or salary will continue to be paid for the amount of time accrued in the employee's sick leave account. Full time employees will earn 3.6923 hours per pay period. Sick leave accrual for part-time employees will be prorated. Part-time employees working less than 20 hours per week are not eligible for sick leave. Sick Leave may be accrued in an unlimited amount.

New employees accrue sick leave from date of hire; however, they are ineligible to use sick leave credit until the orientation period has been successfully completed. The number of sick leave days credited is not intended to establish a guideline for acceptable attendance.

B. Eligibility. An employee is eligible to use sick leave upon completion of orientation.

1. When an employee requests sick leave benefits exceeding three (3) days, CARF may require a health provider statement verifying the illness or injury and its beginning and expected ending dates. Failure to provide a note from a physician (or appropriate health care provider) may lead to a denial of benefits and possible corrective action.
2. Prior approval of the Executive Director may be required for an employee to be granted sick leave for the care of a sick or injured member of the

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SICK LEAVE

REV: Dec. 7, 2016 & TBD 2020

employee's immediate family or household when such sick leave exceeds (3) days.

- C. CTO Used as Sick Leave. If an employee has CTO it may not be used for sick leave unless all sick leave has been used. CTO can only be used for sick leave purposes if:
1. Scheduled in advance.
 2. Need for leave is documented by medical service provider.
 3. Approved by the supervisor or Executive Director.
- D. Separation. If an employee separates from CARF, no sick leave that has accrued will be paid. An employee who retires from CARF and PERS simultaneously can convert accrued sick leave as of the date of PERS retirement to service credit based upon PERS service credit calculations.
- E. Guidelines for Administering Sick Leave. These guidelines shall be followed in administering sick leave:
1. Minimum Unit. Sick leave benefits must be taken in half hour increments.
 2. Advance Notice: Maintenance of Contact. For any use of sick leave, the employee must give CARF reasonable advance notice if possible or provide notice as soon as practical. During leaves not covered by FMLA or CFRA, an employee must maintain daily contact with the supervisor in order for the supervisor to know the employee's estimated date of return to work. Contact must be made within one hour of the start of the employee's shift. Sick leave benefits are contingent upon maintenance of regular contact.
 3. Physician's Release Upon Return. Before returning to work from a sick leave absence of 30 calendar days or more, an employee must provide a physician's verification that he or she may safely return to work.
 4. Exhaustion of Sick Leave. If an employee's medical absence continues beyond the period covered by sick leave, the employee may, at the sole discretion of CARF, be placed on medical leave of absence status without pay. At the employee's option, unused vacation time may be used upon the expiration of accrued sick leave.

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GROUP BENEFITS

REV:

I. PURPOSE

To summarize group insurance and other benefit programs CARF offers to eligible employees.

II. POLICY

CARF provides a comprehensive group health program for regular full-time employees and regular part-time employees who work 20 hours or more per week. Full details can be found in the CalPERS health benefit publications, which employees receive during their orientation. CARF also offers dental, vision and long-term care insurance for eligible employees and certain insurance programs mandated by state and federal regulations for all employees.

III. PROCEDURE

CARF offers major medical, long-term care, dental, vision, group, supplemental life, long-term disability, and accidental death and dismemberment insurance to regular employees. Dependents are eligible for some benefits. The premiums are paid by CARF with a modest contribution paid by the employee in some cases. All benefits provided, including but not limited to those provided through the California Public Employees' Retirement System (CalPERS), are subject to applicable laws, regulations, contracts, resolutions and plan documents.

A. Retirement.

1. CalPERS Classic Employees. CARF's retirement program is provided through the California Public Employees' Retirement System (CalPERS) and reference must be made to CalPERS to determine benefits and which employees are considered "Classic." In general, per the Public Employees' Pension Reform Act of 2013 (PEPRA), a member who joined CalPERS prior to January 1, 2013 and who, on or after January 1, 2013, was hired by a different CalPERS employer following a break in service of six months or less is considered "Classic".

CARF employees who are "Classic" contribute 7% of their gross salary to CalPERS. CARF participates in employer paid member contributions (EPMC) on behalf of eligible employees and pays 2% of the employees' contribution. In addition, CARF contributes an amount determined by CalPERS as the employer's contribution, which the employee is eligible for upon retirement from CalPERS. Under PEPRA, CARF may reduce or eliminate EPMC for Classic members.

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GROUP BENEFITS

REV:

2. CalPERS PEPRA Employees. CARF's retirement program is provided through CalPERS and reference must be made to CalPERS to determine benefits and which employees are considered "PEPRA". Under PEPRA, new members to CalPERS are defined as follows:
- a. A new hire who is brought into CalPERS membership for the first time on or after January 1, 2013, and who has no prior membership in any California Public Retirement System.
 - b. A new hire who is brought into CalPERS membership for the first time on or after January 1, 2013, and who was a member with another California Public Retirement System prior to January 1, 2013, and is not eligible for reciprocity.
 - c. A member who first established CalPERS membership prior to January 1, 2013, and who is rehired by a different CalPERS employer after a break in service of greater than six months.

Under PEPRA, new members are required to pay 50 percent of the normal cost rate of the defined benefit plan or the current contribution rate of "similarly situated employees" (employees in the same benefit group, meaning those with the same benefit formula). In addition, CARF is prohibited from providing Employer Paid Member Contributions (EPMC) to PEPRA employees.

- B. Health Insurance Plan. CARF's contribution to health insurance is adjusted pursuant to the formula set forth in Government Code Section 22825.1, which provides that the employer's contribution with respect to each employee or annuitant shall be an amount equal to 100% of the weighted average of the health benefit plan premiums for employees or annuitants enrolled for self alone plus ninety (90) percent of the weighted average of the additional premiums required for enrollment of family members in the four (4) health benefits plans which have the largest number of enrollments during the fiscal year to which the formula applied. The employee is responsible for any co-payments.
- C. Dental Plan. CARF's contribution to dental insurance is currently 100% of the premium for each eligible employee and his/her dependent(s). Employees may be responsible for premium increases in the future. Employee is responsible for any co-payments.
- D. Vision Service Plan. Eligible CARF employees and his/her dependent(s) may participate in a predetermined vision service plan. The employee is responsible for all premiums and co-payments.

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GROUP BENEFITS

REV:

- E. Long-Term Care Plan. CARF's contribution to CalPERS long-term care insurance will be a predetermined amount determined by CARF annually. CARF employees participating in this program will be responsible for any additional premium costs not covered under the amount paid by CARF, as well as any co-payments associated with long-term care insurance.
- F. Group Life Insurance. CARF provides term life insurance to eligible exempt, **non-exempt** and managerial employees based on annual salary earnings rounded to the nearest \$1,000.00 as well as the level of position held with CARF.
- G. Long Term Disability Insurance. Employees are eligible for long term disability (LTD) coverage after ninety (90) days of continuous disability. The plan provides limited coverage and is paid 100% by CARF.
- H. State Unemployment Insurance. This is an employer paid program funded entirely by CARF on behalf of the employee. The program provides weekly benefits to employees who become unemployed.
- I. Workers' Compensation. CARF participates in a self-insurance program to cover the cost of work-incurred injury or illness. Benefits help pay for an employee's medical treatment and for part of the income lost while recovering. Specific benefits are prescribed by law depending on the circumstances in each case. All work-related accidents should be reported immediately to the supervisor and Executive Director so that a claim may be filed in a timely manner.
- J. State Disability Insurance (SDI). CARF is self-insured for temporary disability benefits up to 52 weeks for employees unable to work because of disability due to a non-occupational accident or illness. The program duplicates the SDI program with two exceptions:
1. The benefits are 100% employer paid; and,
 2. The period allowed to submit a claim is extended from 45 days to 60 days.

Benefits are not automatic. Employees must complete the required form to receive benefits. These forms are available upon request.

IV. RETIREMENT

- A. Retirement. CARF's retirement program is provided through the California Public Employees' Retirement System (CalPERS) and CalPERS makes the final determination of eligibility and benefits. Employees are vested with CalPERS upon five (5) years of service credit. To retire from CalPERS an employee must be

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GROUP BENEFITS

REV:

at least fifty (50) years of age, and have at least five (5) years of CalPERS service credit. "Additional Service Credit" ("Air Time") purchased by an employee does not count towards CalPERS service credit when vesting.

- B. Health Benefits into Retirement. Employees hired prior to April 15, 2020, who are enrolled in a CalPERS health plan upon retirement from CARF and who are vested with CalPERS will be eligible to receive the same employer paid contributions to health insurance as active CARF employees, not subject to a vesting schedule.

Employees hired on or after April 15, 2020 shall be subject to the vesting schedule requirements defined in Government Code Section 22893, except that CARF may, once each year without discrimination, allow all employees who were first employed before Government Code Section 22893 became applicable to CARF to individually elect to be subject to the provisions of Government Code Section 22893.

Excerpt from Government Code Section 22893:

(a) Notwithstanding Section 22892, the percentage of employer contribution payable for postretirement health benefits for an employee of a contracting agency subject to this section shall, except as provided in subdivision (b), be based on the member's completed years of credited state service at retirement as shown in the following table:

Credited Years of Service	Percentage of Employer Contribution
10	50
11	55
12	60
13	65
14	70
15	75
16	80
17	85
18	90
19	95
20 or more	100

- C. Other Employee Benefits into Retirement. Certain employee benefits may be carried into retirement for "eligible employees" who retire from CARF and

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GROUP BENEFITS

REV:

CalPERS simultaneously. Eligible retired employees will receive the same employer paid contributions towards the following benefits as active CARF employees:

1. Dental insurance for retired employee and eligible dependents.
2. Long-Term Care Plan for retired employee and eligible spouse.

D. Definition of Eligible Employee. For the purpose of determining an eligible employee, the following will apply:

1. Employees hired prior to April 15, 2020, must have a minimum of ten (10) years of CARF services or a combination of five (5) years of CARF service and fifteen (15) years of CalPERS service; or
2. Employees hired on or after April 15, 2020, must have a minimum of twenty (20) years of CARF service or a combination of ten (10) years of CARF service and ten (10) years of CalPERS service.
3. "Additional Service Credit" (or "Air Time") purchased by an employee will not be considered when determining the years of service of an employee.
4. The terms "eligible spouse" and "eligible dependents" are used interchangeably. Both refer to an employee's spouse or registered domestic partner, and eligible children under the age of 25 or a disabled child who has never been married and is incapable of self support because of a mental or physical condition that existed prior to age 25.
5. Survivors of retired employees (annuitants) will remain enrolled in CARF's Dental Program as long as they remain eligible.
6. Upon the death of a retired employee (annuitant) a survivor cannot add any new dependents.
7. Retired employees and their eligible dependents may participate in the CalPERS Vision Service Plan and the CalPERS Long Term Care Program at their own expense. CARF does not pay for this benefit.

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DEFERRED COMPENSATION PROGRAM

REV:

I. PURPOSE

To permit regular full-time and part-time employees to defer a portion of their compensation to supplement retirement income.

II. POLICY

The CARF 457 Trust (hereinafter called the "Plan") is voluntary and permits employees to contribute a portion of their earnings on a pre-tax basis to one of several investment choices. The maximum annual dollar amount of the employee's contribution is controlled by existing government regulations.

While this Plan has important savings and tax advantages, other aspects of this Plan will require special consideration. A summary Plan description can be obtained from executive staff.

III. EMPLOYMENT PARTICIPATION

- A. An employee may become a participant by filing a Participation Agreement no later than ten (10) working days prior to the payroll period for which the compensation is to be deferred.
- B. Participating employees and their beneficiaries agree to the terms and conditions of the Plan.
- C. The amount of deferred compensation in any taxable year may not exceed the applicable IRS limits. See executive staff for the current limits.
- D. A participant must defer a minimum of \$12.50 per bi-weekly pay period. Amounts above \$12.50 must be in multiples of \$5 and must be the same in each bi-weekly pay period.
- E. Benefits are made available to the participant at the following times:
 - 1. The participant separates from service.
 - 2. The participant is faced with an unforeseen emergency subject to the requirements of Section IV, subsection 9 of the Plan and IRS Regulation 225d, Section 1,457- 2(h)(4).
 - 3. The calendar year in which the participant attains the age of 60.

IV. LEAVES OF ABSENCE

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DEFERRED COMPENSATION PROGRAM

REV:

- A. Participating employee may continue to be enrolled in the Plan while on a paid leave of absence.
- B. When on certain types of unpaid leaves of absence, the participant shall be deemed to have terminated participation during such leave and will have to re-enroll when such leave ends.

V. TERMINATION BY PARTICIPANT

- A. Participation may be terminated by filing a notice of termination with CARF at least ten (10) working days prior to the bi-weekly pay period in which termination is to take effect.
- B. Once a participant terminates, he/she must re-enroll to begin participation in the Plan.

VI. PROCEDURE UPON SEPARATION FROM CARF

- A. Employees with less than one full year of service must withdraw the monies from the Plan.
- B. Employees with one or more years of service have the option to:
 - 1. Leave monies in the Plan (monies will earn interest on dividends as provided in the Plan).
 - 2. Elect a payment schedule and commencement date.
 - 3. Transfer monies to a new employer's 457 plan.

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CONFLICT OF INTEREST**I. PURPOSE**

To protect the integrity of CARF information, products, services and employee efforts, and to reduce the risk of litigation. This policy is in addition to conflict of interest laws and regulations established by the State of California and the Fair Political Practices Commission (see Section IV below).

II. POLICY

CARF recognizes the right of employees to engage in activities outside of their employment with CARF which are of a private nature and unrelated to the business. A policy of full disclosure will be followed to assess and prevent potential conflicts of interest from arising. All CARF employees are expected to make their best efforts to protect the interests of CARF and the conduct of its affairs. Full time employees are expected to devote their full time to employment with CARF.

III. PROCEDURE

A. While describing all the circumstances and conditions which might develop is impossible, the following is set forth to guide employees:

1. No CARF employee may engage in outside employment that interferes with his or her primary job with CARF. Nor will any employee engage in any work or activity that in some way presents a conflict of interest or is adverse to CARF.
2. No CARF employee shall solicit any income or item of value (including cash, services, goods or materials) from an existing or potential CARF fair, client, contractor, sub-contractor, consultant, supplier or vendor to CARF. An employee may solicit financial support or donations for a CARF or fair industry event when approved by the Executive Director.
3. If an employee, spouse or other member of an employee's immediate family is engaged in or intends to engage in a business similar in nature to CARF's, it must be disclosed in advance to the employee's supervisor and CARF management.
4. No outside work may be done during an employee's regular CARF office hours. No CARF facilities, equipment, labor or supplies shall be used to conduct any non-CARF activity at any time.

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CONFLICT OF INTEREST

5. Any employee doing any outside work is under an obligation to advise his or her client that the work is no way by, for, or in the name of CARF.
- B. Any questions regarding a possible conflict of interest or outside work should be discussed with the HR Administrator.
- C. Failure to disclose or discuss information related to any of the above points may lead to corrective action up to and including discharge from CARF employment.

IV. STATE LAW REGARDING CONFLICTS OF INTEREST AND GIFTS

- A. Conflicts of Interest: State law establishes separate and distinct policies regarding the prohibition of certain defined conflicts of interest, as well as the disclosure of income, loans, gifts and other assets received in addition to salary. It is the employee's responsibility to comply with these state laws and policies.
- B. Disclosure Forms: A conflict of interest disclosure form (FPPC Form 700) must be completed annually by all employees holding a position listed in **CARF's Conflict of Interest Code**. If you have any questions regarding this procedure, please direct them to CARF's designated filing officer for the Fair Political Practices Commission disclosure forms.
- C. Gifts: Limits on the receipt of gifts apply to all CARF employees and officials whose positions are identified in CARF's separate Conflict of Interest Code ("Designated Employees"). Effective January 1, 2019, Designated Employees may not accept gifts from any single source totaling \$500 or more per calendar year. In addition, any single gift exceeding \$50 in value must be reported on the FPPC Form 700. Each Designated Employee is responsible for staying up to date on current gift limitations. A gift is any payment or other benefit to you for which you do not provide payment or services of equal value. Gifts include the value of gifted tickets to any event or location. "Gifts" for the purposes of these rules do not include gifts from family members. Designated Employees (FPPC Form 700 filers) should carefully read and follow all reporting requirements shown on the reverse side of the Form 700.

Detailed guidance is available on the FPPC website at: <http://www.fppc.ca.gov>

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STANDARDS OF CONDUCT

REV:

I. PURPOSE

To assure a safe, efficient and healthy work environment and to fully inform all employees of their responsibilities in this regard.

II. POLICY

CARF employees are required to abide by standards and policies established to protect all employees and the organization from potential injuries or harm and to promote a harmonious and efficient work environment.

CARF's practice is to help identify performance and behavioral issues and to provide assistance with resolving such issues.

Failure by employees to observe established standards, policies and rules can lead to disciplinary action including, but not limited to, formal warnings, suspension, and termination of employment. However, any and all disciplinary action by CARF is purely discretionary and in no way limits or alters the "at-will" employment relationship.

III. STANDARDS OF CONDUCT

CARF employees shall not engage in any conduct or activity inconsistent with his or her duties as a CARF employee. It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of improper conduct that may result in disciplinary action, up to and including termination of employment:

1. Improper release of confidential information.
2. Falsification of records, such as employment application materials or employee time records.
3. Possession, distribution, sale, use or being under the influence of alcohol, marijuana or illegal drugs while on the job or while on CARF business, including while operating vehicles or equipment.
4. Damaging or destroying CARF property due to careless or willful acts.
5. Failing to observe safety rules or regulations or any act which threatens the safety, health or well-being of an individual.
6. Threatening violence or injury to another person.

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STANDARDS OF CONDUCT

REV:

7. Engaging in sexual harassment or other unlawful harassment or discrimination.
8. Discrimination or retaliation in violation of CARF's policies and the law.
9. Inability or unwillingness to work in harmony with other employees. Being discourteous to CARF employees, clients, customers, or other persons doing business or coming in contact with CARF.
10. Violating any criminal law on the job (e.g. theft, fraud, bribery, carrying concealed weapons or explosives).
11. Participating in fighting, throwing things, horseplay, practical jokes or other disorderly conduct which may endanger the well-being of any individual or CARF operations.
12. Interfering with another individual's performance or right to work in an environment free from endangerment of physical or mental well-being, including the use of any threatening, intimidating, abusive or insulting language or behavior.
13. Being insubordinate or refusing to comply with instructions or failing to perform reasonable duties which are assigned.
14. Using CARF material, time, equipment, or property to manufacture or produce an item or offering of service for personal use or other unauthorized purposes.
15. Excessive or unexcused absenteeism or tardiness or other behavior which does not allow for the performance requirements of the position to be met.
16. Violation of personnel or administrative policies or engaging in any practices that are inconsistent with ordinary and reasonable rules of conduct necessary to the mutual welfare of CARF and its employees and clients.
17. Using power and authority of position to promote personal gain or influence business dealings in a way that benefits the individual personally.
18. Purchasing items for personal use through CARF (i.e. office supplies, postage, etc.) or use any CARF services and/or discounts for personal use (i.e. Fed Ex shipping) without permission and personal compensation.
19. Continual unsatisfactory performance or conduct.

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EMPLOYEE CONCERNS & COMPLAINTS

REV:

I. PURPOSE

To provide a process for employees to discuss concerns, complaints or problems with management and to receive careful consideration, evaluation, and a prompt resolution.

II. POLICY

CARF management emphasizes open door practices in which employees have the opportunity to deal directly with their supervisor and other members of management regarding complaints or conditions of employment.

Each employee is encouraged to discuss work related concerns, complaints or problems with their supervisor and/or management and to have a process to appeal an unfavorable decision to a higher authority. Concerns, complaints or problems covered by this policy may include:

- A. An act, occurrence, or attitude, either expressed or implied, resulting in a real or imagined feeling of injustice and/or having been oppressed or injured.
- B. A feeling that insufficient consideration has been given to an individual or group alleging that they have been treated improperly or unfairly.
- C. A condition of employment or application of a policy that the employee thinks is unjust or inequitable.

Complaints of Harassment, including Sexual Harassment, should be submitted and will be handled as behavior unbecoming of CARF's Standard of Conduct (Policy No. 220). Concerns, complaints or problems with a performance evaluation or corrective or disciplinary action are not covered by this policy. An employee dissatisfied with a performance evaluation or corrective action shall have the option of writing a letter to be included in the employee's personnel file expressing the employee's reasons for dissatisfaction.

III. PROCEDURE

- A. For the purpose of adjusting concerns, complaints and problems, the employee is encouraged to first seek assistance by contacting his or her immediate supervisor, verbally or in writing. The supervisor will be responsible for handling the complaint as an important business matter, making every effort to resolve the problem. Supervisors must consult with the Executive Director in an attempt to find an appropriate equitable resolution, consistent with other solutions for similar complaints.

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EMPLOYEE CONCERNS & COMPLAINTS

REV:

- B. If the employee complaint involves his or her supervisor or if the employee does not feel free to express the concerns to the supervisor, or the employee is dissatisfied with the supervisor's solution, the employee may use the following alternative channels:
1. The employee is encouraged to discuss complaints with the next higher level of management. If the outcome of this discussion is unsuccessful, or the employee believes he/she cannot discuss the problem with either their supervisor and/or manager the employee may consult with the Executive Director or the CARF general legal counsel.
 2. Contact a CARF Board Director to initiate an investigation into the situation and assist in resolving the complaint or mediating the dispute. The employee must put the complaint in writing.
- C. Every effort must be made to resolve the issue within 10 days of the employee's initial complaint.
- D. An employee may ask the Executive Director, another employee, or another manager to be present at a complaint discussion with any level of management.
- E. Appeals. If the employee's complaint is not settled satisfactorily with the immediate supervisor, the employee is encouraged to appeal the complaint to the higher level of management, and then the Executive Director. It is expected that supervisors will support this appeal process if a solution is found to help rectify any remaining dissatisfaction.
- F. Management may seek the advice of the Employee Assistance Program (EAP) consultant and/or may seek to resolve the complaint by having the EAP consultant facilitate communications between the employee and his/her supervisor in order to resolve the conflict in a mutually agreeable way.

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PERFORMANCE EVALUATION

REV:

I. PURPOSE

To provide a process to evaluate employees for purposes of development, merit review and counseling.

II. POLICY

The employee performance appraisal process is designed to accomplish the following:

- A. To enhance individual employee performance and ensure effective business operations.
- B. To summarize both formal and informal performance discussions held with employees throughout the review period.
- C. To document performance areas in which employees do well and those areas which require improvement. To establish performance goals and plans to correct performance shortcomings.
- D. To link employee performance with merit increase considerations.
- E. To receive input and feedback from employee regarding CARF operations, industry relations, etc.

III. PROCEDURE

The Executive Director (ED) is responsible to set and communicate clear performance standards for his or her employees at the beginning the review period. The ED is also responsible to observe and discuss with his or her employees positive and negative aspects of their performance in relation to standards throughout the review period. The ED is responsible to conduct formal performance appraisals on each employee summarizing past discussions and setting performance goals.

A. Timing.

1. Regular employees will normally receive an annual performance evaluation between the months of January and April of each calendar year.
2. Newly hired employees will be evaluated at 30, 60, and 90 days during the orientation period. (See Policy No. 050, New Employee Orientation Period.)

- B. Performance Evaluation Forms. Employee performance evaluation forms can be obtained from the Executive Director.

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PERFORMANCE EVALUATION

REV:

- C. Performance Evaluation Discussion. The Executive Director will hold a discussion with the employee regarding each performance evaluation. The discussion should be held at a prearranged time in a private location free from interruptions.
- D. Employee Signature. The employee will be asked to comment on the evaluation and acknowledge it by signing the form. He or she will then be given a copy of the signed evaluation. If the employee declines to sign the form, he or she should be encouraged to discuss any concerns and offered the opportunity to write a rebuttal. If the employee still declines to sign the evaluation, the Executive Director should write "Employee Declined to Sign" at the bottom of the form, add his or her initials and the date, and give the employee a copy of the evaluation. The supervisor should then notify his or her manager of the situation.

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TRAINING AND EDUCATION ASSISTANCE

REV:

I. PURPOSE

To help employees obtain additional education or training to increase their competence in present jobs and to prepare for advancement within CARF.

II. POLICY

CARF may reimburse training and career advancement classes, seminars and workshops at a predetermined percentage for class fees books, software or other educational supplies for courses which employees take at a recognized institution. These courses must increase employees' competence in their present jobs, and/or prepare them for advancement in CARF.

An employee must be employed with CARF when the course is completed in order to qualify for reimbursement. However, an employee who separates during enrollment because of reduction in force or elimination of the job, or who is unable to complete the course because of relocation within CARF, will be reimbursed for all costs incurred up to the date of separation. Records of educational programs completed by each employee and records of reimbursement will be maintained by CARF.

III. DEFINITIONS**A. Training.** Classes and seminars designed to:

1. Help an employee maintain the legal or technical requirements of his/her existing position as identified by law or his/her position description.
2. Meet the requests of employee's supervisor to upgrade particular skills and/or knowledge in his/her existing position.

B. Career Advancement Education. Classes and seminars not included under the definition of training, but which:

1. Help an employee meet legal or technical requirements for possible advancement to a particular position within CARF; or
2. Increase an employee's competency within his/her existing position as explained in a written education/career advancement plan approved as part of his/her performance appraisal.

Class attendance and completion of study assignments must be accomplished outside of the employee's regular working hours. Unsatisfactory job performance

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TRAINING AND EDUCATION ASSISTANCE

REV:

during enrollment may result in forfeiture of educational reimbursement and disciplinary actions.

IV. REIMBURSEMENT

- A. Training. Pre-approved class fees and books will be reimbursed at 100%. CARF may also pay travel costs and parking according to existing travel policies for recognized conventions, conferences, seminars, and workshops requiring a single trip.
- B. Career Advancement Education. Pre-approved class fees and books may be reimbursed at a rate of up to 50% per semester or its equivalent. Travel costs (including parking) for career advancement education courses will not be reimbursed.

V. PROCEDURE

- A. In all cases, employees are requested to explore all avenues for achieving educational goals and present written justification when the least expensive option is not utilized.
- B. An employee must receive approval from the Executive Director. The employee must also provide an in-depth course description and course outline along with all known associated costs.
- C. Employees must receive a grade of "C" or better or pass a "pass/fail" course to be reimbursed.
- D. The employee submits receipts for class fees and books, mileage and parking if the course is requested by CARF and the employee's official school grade report. An employee will not be reimbursed without receipts.

VI. TAX STATUS OF TRAINING AND EDUCATION REIMBURSEMENT

- A. Training is considered a requirement of employment, therefore, reimbursements are not taxable.
- B. Career Advancement Education cost reimbursements are considered benefits which contribute to the employee's upward mobility and, therefore, are taxable.

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EMPLOYEE SEPARATION

REV:

I. PURPOSE

The purpose of this policy is to aid in the timely and accurate processing of employees who are leaving CARF and will no longer be on CARF payroll.

II. POLICY

It is CARF's policy to ensure that all employee rights are protected in an employee's separation from CARF and that all procedures for separation are consistent with fair and equitable employee relations practices. The policy covers the following categories of separation as defined:

A. Resignation. A voluntary separation including:

1. Resignation with or without notice.
2. Failure to return from a leave of absence as arranged with CARF.

B. Release. A separation in which the employee is not qualified or adapted for the type of work assigned and no other assignment is available.**C. Death.** The death of an employee in active employment or leave of absence.**D. Retirement.** A voluntary separation which usually includes qualification for benefits under CARF retirement plan (See PERS plan documents for details).**E. Discharge.** A separation in which the employee is removed from the payroll as an "at-will" employee, including but not limited to for violation of employee standards of conduct, safety regulations or unsatisfactory job performance.**III. PROCEDURE****A. Notice to Employee.** There are no requirements for advance notice to employees upon separation by CARF unless notice is required by a written employment agreement between CARF and an employee. (See Policy No. XXX, At-Will Employment and Policy No. XXX, Standards of Conduct.)**B. Pay in Lieu of Notice.** Where a future date is established for separation, immediate removal from duties may be desirable to minimize the adverse effect on other employees or to allow the separated employee to seek new employment. In such cases, up to two weeks pay may be provided in lieu of advance notice. The prior approval of the Executive Director must be secured by the supervisor for pay in lieu of notice.

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EMPLOYEE SEPARATION

REV:

- C. Management Approvals. When an employee is released or discharged, written approvals will be required from the supervisor and/or manager and the HR Administrator.
- D. Resignation. An employee who resigns with or without notice will be asked immediately by the Executive Director to put notice of voluntary resignation in writing. The notice will be placed in the employee's personnel file. The Executive Director must obtain all keys and other company property, credit card, materials and equipment from the separated employee prior to the last day of work.
- E. Exit Interview. Separated employees, whether voluntary or involuntary, will be referred to the HR Administrator for participation in a voluntary Exit Interview before their last day of work.
- F. Employment References for Separated Employees. Refer to Policy No. XXX, Personnel Records and Privacy.
- G. Records Update Form. The Executive Director is responsible for the completion of the CARF Personnel Records Update Form.
- H. Benefit Eligibility.
1. Employees are not paid, nor are employees eligible, for an accrued sick leave time at the time of separation.
 2. Accrued and unused vacation allowance will be paid to employees upon separation.
 3. Benefits Coverage Upon Separation. Upon separation, the Executive Director will notify the employee of his/her right to continue his/her health insurance for the employee and covered dependents. According to the rights specified in State and Federal law, including the Consolidated Omnibus Budget Reconciliation Act (COBRA):
 - a. CARF must provide for, at the separating employee's or qualified beneficiaries' sole expense, the continuation of identical coverage to CARF health care coverage for the employee and/or his/her qualified beneficiaries in the event of:
 - 1) The employee's death;
 - 2) Voluntary or involuntary termination of employment (other than for gross misconduct) or reduction in hours;
 - 3) Divorce or legal separation;

SUBJECT:

EST: TBD 2020

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EMPLOYEE SEPARATION

REV:

- 4) The employee becomes entitled to Medicare benefits (the continuation of coverage is only available for the covered spouse and dependent children);
 - 5) A dependent child is no longer considered a dependent as defined under the applicable plan provisions.
- b. The availability of such coverage must continue for up to 18 months when an employee is terminated or has his/her hours reduced. For all other events, the availability of such coverage must continue for up to 36 months.
 - c. If one of the following events occurs before the expiration of the 18 or 36 month periods described in b. above, coverage will cease at that time:
 - 1) Termination of all employer-provided group health plans;
 - 2) Failure of employee or beneficiary to pay required contributions;
 - 3) The individual becomes covered as an employee or dependent under another employer's plan, so long as the plan does not exclude or limit coverage for a qualified beneficiary's existing conditions;
 - 4) Entitlement of employee or beneficiary to Medicare benefits; or
 - 5) A qualified beneficiary becomes covered under another group health plan, subject to HIPAA's portability provisions (applies to former spouses of covered employees).
 - d. The monthly premium for the group continuation plan will be 102% of the current plan rate.
 - e. CARF is not required to make a contribution towards the cost of such group continuation.
 - f. CARF must provide written notice of rights to group continuation coverage to the employee (and spouse, if applicable), following the qualifying event.
 - g. It is the responsibility of the employee or qualified beneficiary to notify the HR Administrator immediately of: a divorce or legal separation; or a dependent child ceasing to be a dependent. CARF then has fourteen (14) days to notify the employee or qualified beneficiary of his or her right to elect group continuation. The notice is to be sent to the employee's or qualified beneficiary's last known address.

SUBJECT:

EST: TBD 2020

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EMPLOYEE SEPARATION

REV:

- h. The employee or qualified beneficiary is entitled to a conversion policy with the insurer upon the expiration of the group continuation plan.
- 4. Life Insurance Benefits. Conversion privileges of the CARF life insurance benefit plan are outlined in the master insurance policy. Consult plan documents for complete details.
- 5. Vested Rights Under the Public Employees' Retirement System. General provisions of benefit credit are specified in the PERS plan document. Consult the PERS plan document for complete details.

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CFFA and CFSA Policies to be considered:

- Recruiting and Selection (CFFA Policy No. 030, CFSA Policy No. 020)
- Employment of Relatives (CFFA Policy No. 040, CFSA Policy No. 023)
- Wage and Salary Administration (CFFA & CFSA Policy No. 120)
- Reduced Work Hours (CFFA & CFSA Policy No. 214)
- Paid Personal Time Off (CFFA Policy No. 313, CFSA Policy No. 314)
- Unpaid Personal Time Off (CFFA Policy 314, CFSA Policy No. 321)
- Leaves of Absence Without Pay (CFFA Policy No. 315, CFSA Policy No. 322)
- Pregnancy Disability Leave of Absence (CFFA Policy No. 316, CFSA Policy No. 323)
- Family Care and Medical Leave (CFFA Policy No. 317, CFSA Policy No. 324)
- Employee Assistance Program (CFFA Policy No. 318, CFSA Policy No. 330)
- Harassment-Free Workplace, Including Sexual Harassment (CFFA & CFSA Policy No. 412)
- Attendance Policy (CFFA & CFSA Policy No. 413)
- Substance Abuse; Drug Free Workplace (CFFA & CFSA Policy No. 415)
- Telephone Use (CFFA Policy No. 910, CFSA Policy No. 418)
- Social Media Usage (CFFA Policy No. 911, CFSA Policy No. 419)
- Email, Facsimile, Voicemail and Computer Usage Policy (CFFA Policy No. 912, CFSA Policy No. 420)
- Corrective Actions & Positive Discipline (CFSA Policy No. 450 – CFSA ONLY)
- Bulletin Board Usage (CFFA & CFSA Policy No. 510)
- Employee Suggestions (CFSA Policy No. 520 – CFSA ONLY)
- Promotion and Transfers (CFFA Policy No. 611, CFSA Policy No. 630)
- Job Posting Process (CFFA Policy No. 612, CFSA Policy No. 631)
- Accidents/Injuries Reporting (CFFA & CFSA Policy No. 710)
- Reduction in Force and Recall (CFFA Policy No. 811, CFSA Policy No. 812)
- Exit Interviews (CFFA Policy No. 812, CFSA Policy No. 820)
- Employee Travel (CFFA & CFSA Policy No. AD010)
- Use of Vehicles (CFFA & CFSA Policy No. AD011)
- Credit Card Use (CFFA & CFSA Policy No. AD020)



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Employee Handbook

Revised: **January 2020**

California Authority of Racing Fairs (CARF)
1776 Tribute Road, Suite 150
Sacramento, CA 95815

Phone: (916) 263-3346
Fax: (916) 263-3341
E-mail: admin@calfairs.net

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- Equal Employment Opportunity
- At-Will Employment
- Compensation
- Conflict of Interest
- Employment Classifications

06 Payroll and Time Records

- Attendance and Scheduling

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California Authority of Racing Fairs

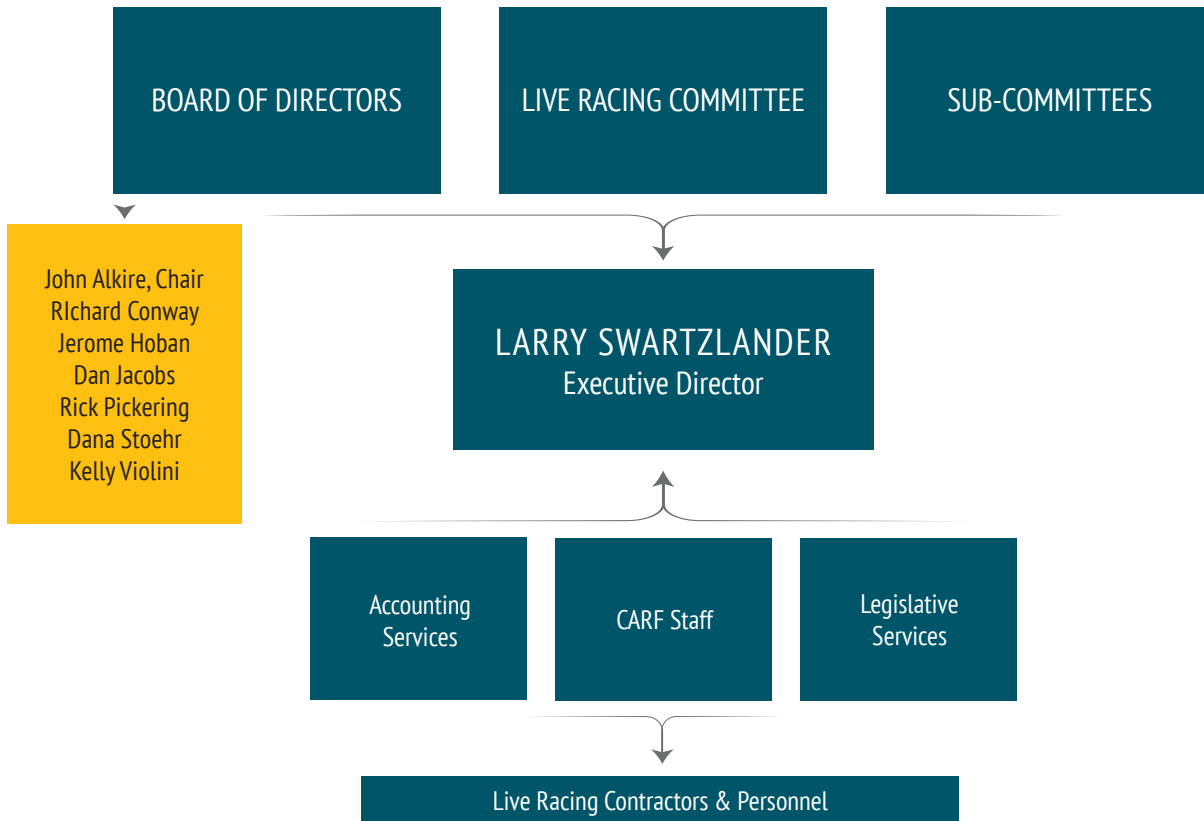
a California Joint-Powers Authority (JPA)



The California Authority of Racing Fairs (CARF) is a joint-powers authority established by California Law (Government Code Section 6500 et seq.). The primary business interest of the JPA shall be the live horse racing and/or satellite wagering program activities of its members and the California fair industry.

CARF was established for the purpose of conducting business activities, for and with the member fair associations, in pari-mutuel wagering programs and related activities. It is the intention that an efficient and representative organizational structure be created and maintained, under the policy authority of a Board of Directors.

CARF staff is managed by an Executive Director, employed by the Board of Directors, to provide professional services consistent with the joint-powers agreement and bylaws.



General Policies Of Employment

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Equal Employment Opportunity

Reference Policy No. 030

CARF is an equal opportunity employer fully committed to the standards of the California Fair Employment and Housing Commission and the Federal Equal Employment Opportunities Commission. It is our commitment and policy to recruit, hire, promote, re-assign, compensate and train without regard to race, gender, religion, age, national origin, physical handicap or military status. Further, we are committed to a work environment that is free of any form of harassment, including sexual harassment for any reason or purpose.



At Will Employment

Reference Policy No. 010

CARF is an “at will” employer and therefore employment may be terminated by either employer or employee for any reason at any time, with or without notice or cause, subject to any prevailing written agreements.

All CARF employees serve at the discretion and authority of the Executive Director. CARF Employees are not State or County employees nor are they Civil Service employees.



Compensation

Wages and salaries shall be determined by the Executive Director and approved by the Board of Directors. Any modifications to existing wages and salaries shall be submitted by the Executive Director to the Board of Directors through the annual budget approval process.



Conflict of Interest

Reference Policy No. 050

CARF recognizes the right of employees to engage in activities outside of their employment with CARF which are of a private nature and unrelated to our business. A policy of full disclosure will be followed to assess and prevent potential conflicts of interest from arising. All CARF employees are expected to make their best efforts to protect the interests of CARF and the conduct of its affairs. Full time employees are expected to devote their full time to employment with CARF.



Employment Classifications

Reference Policy No. 020

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Exempt Employees:

Management, supervisory, professional and administrative employees whose positions meet specific tests established by the Fair Labor Standards Act (FLSA). These employees are ineligible to receive overtime pay. However, supervisory, professional and administrative employees may be eligible to earn compensatory time off. (See Policy No. 212, Compensatory Time Off for Exempt Employees.)

Non-Exempt Employees:

Employees whose positions do not meet FLSA exemption tests and who are eligible for overtime pay in accordance with the FLSA.

Full-Time Employees:

Employees scheduled to work 40 hours per week. Full-time employees are eligible for all benefits offered by CARF.

Part-Time Employees:

Employees scheduled to work less than 40 hours per week. Employees scheduled to work less than 20 hours per are ineligible for CFSA benefits.

Orientation Period Employees:

In most cases, a new employee with less than 90 days of services (See Policy No. 040 New Employee Orientation Period). Restrictions are placed on benefits of orientation employees (See Policy No. XXX, Insurance Programs) and they are subject to different disciplinary rules (See Policy No. XXX, Disciplinary Actions).

Regular:

Employees who have completed the 90-day orientation period.

Temporary Employees:

Employees who are hired for a pre-established period. They may work a full-time or part-time schedule. After a temporary employee has worked 1,000 hours in a calendar year, CARF will enroll the employee into CalPERS.

Limited Duration Contract Employees:

Employees who provide contract services on a temporary basis for a specific project or projects for a pre-established period of time. Their employment is governed by a Limited Duration Employment Contract. (In some cases, limited duration contract employees may receive benefits, as specified in their employment contract.)

CalPERS Retired Annuitants:

CalPERS retirees who are hired in accordance with rules set forth in the California PERS Procedures Manual, Employment of a Retiree. These employees are hired for a specific project or projects, for a pre-established period of time. Their employment is governed by a Limited Duration CalPERS Retired Annuitant Employment Contract. CalPERS Retired Annuitants are not eligible for benefits. CalPERS Retired Annuitants are restricted to working no more than 960 hours per fiscal year for all CalPERS agencies.

Independent Contractors:

An independent contractor is engaged to perform a specific project for a pre-established period of time and at a specified recompense. The terms of CARF's relationship with an independent contractor are governed by a written agreement. Independent contractors control the manner and means of performing the work contracted for and will generally establish their own hours, work out of their own workplace, and provide their own materials and supplies. Independent contractors are not "employees" of CARF and this manual does not apply.

**PERFORMANCE EVALUATION
EXECUTIVE DIRECTOR**

INSTRUCTIONS

Rate the employee's performance as demonstrated during this rating period. Rating should be given on a scale of 1 through 5 as follows:

Exceeds Expectations	4-5
Meets Expectations	3
Below Expectations	1-2
Unknown	N/A

EXECUTION OF POLICY

- ___ Understands and complies with over policies of Agency.
- ___ Interprets and successfully executes intent of Agency policy.
- ___ Defends the Agency and its reputation in an honest and open way.

Comments: _____

RELATIONSHIP WITH THE BOARD OF DIRECTORS

- ___ Supports and carries out Board directives and policy with public and staff.
- ___ Keeps Board informed on issues.
- ___ Offers professional advice to Board on items requiring action.
- ___ Has a harmonious working relationship with Board of Directors.

Comments: _____

BUDGET

- ___ Presents a realistic budget to the Board of Directors.
- ___ Uses budget as a planning tool to implement Agency policies.
- ___ Controls expenditures within set budget levels.

Comments: _____

PLANNING

- ___ Independently recognizes problems, develops relevant facts, formulates alternative solutions and makes timely recommendations and/or decisions.
- ___ Maintains an awareness of developments in other agencies or at the fair level that may affect the Agency.
- ___ Keeps staff and Board advised of impending legislation significant to Agency.
- ___ Keeps managers appropriately informed of Agency progress and problems.
- ___ Targets and achieves results; sets challenging goals and prioritizes tasks.

Comments: _____

LEADERSHIP

- ___ Motivates others to maximum performance.
- ___ Engenders staff support for Agency policies, even if those policies may not have been recommended by staff.
- ___ Models high standards of honesty, integrity, trust, openness and flexibility.
- ___ Creates a work environment in which employees are valued and respected.
- ___ Plans and provides clear direction, responsibility and authority; solicits input; listens well.
- ___ Provide guidance to employees to develop and maintain high levels of initiative and problem solving.

___ Develop a 3-5 year succession plan for key positions that may turn over in the organization.

Comments: _____

COMMUNICATIONS

___ Keeps Agency and Industry appropriately informed.

___ Presents thought in orderly, understandable manner.

___ Demonstrates ability to negotiate and compromise where necessary.

___ Written correspondence is clear, accurate and represents Agency and Board policy.

___ Responsive to industry and public requests and concerns.

___ Improve and enhance communications with industry agencies and organizations.

Comments: _____

MANAGERIAL SKILLS

___ Devotes sufficient time and energy to job.

___ Demonstrates high ethical and performance standards.

___ Effectively manages Agency employees and programs.

___ Delegates responsibility to staff appropriately.

Comments: _____

2020

Yearly Calendar

January						
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2021

Yearly Calendar

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