SJSU Research Foundation

Employee Handbook

For Non-Benefited Employees

One Washington Sq
San José, CA 95192-0139
Tel. +1 408 924-1400
Fax. +1 408 924-1499
researchfoundation@sjsu.edu
www.sjsu.edu/researchfoundation

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SJSU | RESEARCH FOUNDATION

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Message from the Executive Director

> The Research Foundation is here to partner with SJSU faculty, PIs, and employees.

Founded in 1932, the San José State University Research Foundation's (then the "SJSU College Corporation") first major project was the construction and management of the original SJSU football stadium. Over the past decades, the SJSU Research Foundation has evolved into a robust organization supporting and managing research and related scholarship and creative endeavors across the university.

The San José State University (SJSU) Research Foundation, a private, non-profit corporation and an auxiliary of SJSU, receives in excess of $70 million dollars annually in public and private funding in support of research and specialized programs supporting the mission of SJSU. The Research Foundation (RF) is SJSU's largest provider of research and public services to local, national and international sponsors. With a staff of approximately 50 employees, the RF Central Office is comprised of Sponsored Programs, Finance and Accounting, Human Resources, and Information Technology which together provide for the needs of approximately 2,000 academic, technical, professional and administrative staff who are employed and work at both on- and off-campus locations including downtown San Jose, NASA-Ames, Moss Landing Marine Laboratories, and out-of-state sites.

The Research Foundation's Central Office staff collectively supports over 400 Research, Scholarship and Creative Activity (RSCA) grants and contracts, generating about $78 million in annual research expenditures, with approximately 1,500 individuals actively participating in the SJSU RSCA Enterprise.

Engaging in externally funded research and other education-related research, scholarship, and creative activity projects is professionally rewarding and personally satisfying. It is my goal that the Research Foundation's Employee Handbook informs its workforce of pertinent policies and procedures, while supporting the work of SJSU researchers. These policies and procedures can be changed or modified based on business needs. Employees will be informed of these changes via official notice.

The San José State University Research Foundation is here to partner with SJSU faculty, PIs and employees to accomplish their research goals, in support of San José State University's mission.

Andrew Exner
Executive Director
San José State University Research Foundation

Receipt and Acknowledgment

Of San Jose State University Research Foundation Employee Handbook

Dated July 23rd, 2026

I have received my copy of the 2026 Employee Handbook of the San José State University Research Foundation ("Research Foundation"). This Handbook and the policies and procedures contained herein supersede any and all prior practices, oral or written representations, or statements regarding the terms and conditions of my employment with the Research Foundation. By distributing this handbook, the Research Foundation expressly revokes any and all previous policies and procedures which are inconsistent with those contained herein.

I understand that I am responsible for reading the Handbook and complying with the policies set forth in the Handbook and any revisions made to it during my employment with the Research Foundation. I have reviewed, or will, in a timely manner, review, the contents of this Handbook, and understand that I have the opportunity to ask or raise any questions or concerns regarding the terms of the Handbook as it relates to my employment status by directing my questions, issues, or concerns to my Manager, functional Director, or the Director of Human Resources.

I understand that my employment with the Research Foundation is at-will which means both the Research Foundation and I are free to terminate the employment relationship at any time, with or without cause, and with or without advance notice. I understand that this "At Will" employment relationship can only be changed by an express written contract signed by the Executive Director of the Research Foundation.

I understand and agree that nothing in the Employee Handbook creates, or is intended to create, a promise or representation of continued employment and that employment at the Research Foundation is employment at-will.

I understand that, except for employment at-will status, any and all policies and practices may be changed at any time by the Research Foundation, and the Research Foundation reserves the right to change my hours, wages and working conditions at any time. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies.

I understand that this signed Employee Acknowledgment for 2026 Handbook will be placed in my personnel file.

_____ _____

Employee Signature Date

_____

Printed Name

Introduction

No employee handbook can answer every question, nor would we want to restrict normal human interchanges. It is in person-to-person conversations that we can better know each other, express our views, and work together in a harmonious relationship.

This Handbook has been prepared to inform you about the San José State University Research Foundation's ("Research Foundation") employment practices, programs, and policies, as well as current benefit offerings. It contains policies and procedures that in a dynamic organization are subject to change from time to time. Except for the policy of "At Will" Employment, the Research Foundation retains the right to make changes to the policies, procedures and benefits described in this Handbook. For complete copies of its policies and procedures, as well as all other pertinent Research Foundation policies and procedures, please contact the Human Resources department.

We ask that you read this Handbook carefully, and to refer to it whenever questions arise. We also suggest that you take it home, so your family can become familiar with the Research Foundation and its policies and benefits.

No individual other than the Executive Director of the Research Foundation has the authority to enter into any employment or other agreement that modifies Research Foundation policy. Any such modification must be in writing.`

If you need more information or you have any questions regarding Research Foundation policies, procedures, or practices, we encourage you to contact your manager or Human Resources.

OVERVIEW

The San José State University Research Foundation is one of the oldest nonprofit corporations in the California State University (CSU) system. It is affiliated with and supports the mission and vision of San José State University (SJSU), the oldest public school of higher education in the state.

The Research Foundation was originally founded as the "San José State College Corporation" in 1932. Its name was changed in 1961 to the "San Jose State College Research Foundation," and again in 1975 to "San José State University Foundation." In July, 2006, the name was changed to its current title, reflecting in part the growing research capabilities augmenting the University's emphasis on excellence in teaching.

STATEMENT OF MISSION

As an integral member of the San José State University ("SJSU") community, the Research Foundation provides an entrepreneurial framework through which local, state and federal agencies, businesses and private foundations engage SJSU faculty and students in sponsored research, public service and community projects, consulting and other specialized educational activities in support of the University's mission. Delivering specialized business services to support a diverse range of externally funded activities, the SJSU Research Foundation fosters the University's quest for excellence by supporting faculty success, expanding student horizons, delivering specialized business services, and developing partnerships with the community.

GENERAL PURPOSE

The Research Foundation, a 501(c) (3) non-profit corporation, provides an entrepreneurial management structure through which SJSU carries out essential specialized instructional and service activities not normally supported by the state budget, while also eliminating undue governmental, budgetary, procurement, and other state fiscal restrictions.

The general purpose of the Research Foundation, set out in its most recently amended articles of incorporation, is to promote the welfare of SJSU in assisting it in fulfilling its objectives, supplement the programs and activities of the University in appropriate ways, promote and assist its educational services, and otherwise aid and assist the CSU system, especially in those areas in which the Research Foundation is located. The Research Foundation's programs and projects are local, national, and global.

These purposes are compatible within the legal framework established for 90-plus organizations serving as auxiliary organizations to the 23 campuses within the CSU system.

GOVERNANCE

The Research Foundation is guided by a Board of Directors whose broad expertise and knowledge represent the campus and business communities. The Research Foundation's Board of Directors consists of University administrators, University faculty members, a student researcher, and community members.

ADMINISTRATION

The Research Foundation's central administration is organized into four departments that provide the business infrastructure and professional services essential to support and promote SJSU's externally funded research and public service programs.

Office of Sponsored Programs

The Office of Sponsored Programs (OSP) manages all externally funded grant and contract activity of San José State faculty and staff. OSP services, organized by pre- and post-award activities, are designed to maximize each faculty member's ability to primarily focus on his or her research with the confidence that many of the research administration functions are being carried out by OSP staff. OSP also works directly with government agencies, corporations, private Research Foundations, and other sponsoring partners of externally funded programs.

Pre-award services include targeted email funding alerts, access to funding databases, guides for grant writing, and the proposal development expertise to assist with the submission of effective, competitive proposals.

Post-award services include all budget and account and contract management services associated with grant and contract awards. OSP also provides assistance with protecting and commercializing SJSU intellectual property.

Self-support programs provide administrative management services for University programs that are self-supported, that is, supported by fees such as faculty-hosted conferences and workshops.

Finance & Accounting

The Research Foundation's Finance and Accounting department provides financial and administrative support services. These services including Purchasing, Accounts Payable, Accounts Receivable, Cashiering, Treasury, General Ledger Accounting, Property Management, Risk Management, Information Technology, and Records Retention. The Finance and Accounting department

also serves as the audit and compliance branch of the Research Foundation organization.

Human Resources

The Research Foundation's Human Resources department provides a full range of human resources and related services for all levels of employees, including Compliance, Recruitment and Staffing, Benefits Administration, Compensation Administration, Performance Management, Training and Skills Development, Labor Law and Labor Relations, Employee Relations, Independent Contractors, outside Administrative Agencies (Labor Commissioner; EEOC; OFCCP), Workers' Compensation & Injury and Illness Prevention Program (IIPP), Policies and Procedures, Immigration Services, and Community Outreach. The Human Resources department also includes the Payroll function. Payroll processes all employee payroll compensation and conducts all required reporting to federal and state agencies.

ABOUT YOUR EMPLOYMENT

"At Will" Employment Status

The San Jose State University Research Foundation is an independent, non-profit 501 (c) (3) auxiliary organization. Research Foundation employees are not State, San Jose State University ("SJSU"), or California State University ("CSU") employees.

All employment with the Research Foundation is "at will," which means that both the Research Foundation and the employee are free to terminate the employment relationship at any time, with or without cause, and with or without advance notification. Employees' positions may also be altered (reclassification/promotion/demotion) and the terms of their employment may be altered at any time, with or without cause, at the discretion of the Research Foundation. Employees are also subject to discipline in accordance with employment expectations.

The "at will" employment relationship can only be changed by an express written contract entered into and signed by the Executive Director of the Research Foundation and by the affected employee. Any such agreement must express a clear and unambiguous intent to alter the "at-will" nature of the employment relationship.

The policy of "at will" employment is the sole and entire agreement that exists between an employee and the Research Foundation as to the duration of employment and the circumstances under which employment may be terminated.

ABOUT YOUR BENEFITS

As noted previously, Research Foundation employees are not State, San José State University ("SJSU"), or California State University ("CSU") employees. They are not eligible for benefits associated with either SJSU or the CSU system.

The Research Foundation's operating budget is derived from a number of sources that include federal, state, local, and private contracts and grants. Its continuing challenge is to negotiate with benefits providers in a fiscally responsible manner, while striving to maintain a competitive benefits package that supports retention, motivation, and productivity. Consequently, the Research Foundation retains the right, to assess and determine plans or coverages on an ongoing basis. This includes assessments and determinations regarding plan or broker revisions, amendments, or terminations, and change of providers of plans or benefits.

It should also be noted that the various brokers and companies that offer such plans and benefits may themselves change the benefits, eligibility standards, and other provisions of the plans and benefits. Often, these changes are beyond the control of the Research Foundation. Likewise, a plan or benefit may become unavailable in the future, or a company offering a plan or benefit may withdraw its offer in the future, or the plans or benefits may prove too costly to continue.

Any such changes, deviations, and/or discontinuation will be promptly and appropriately communicated to stakeholders at the earliest possible opportunity.

EMPLOYMENT DEFINITIONS

Research Foundation Employees

Any employee who receives a payroll check from the Research Foundation is considered a Research Foundation employee.

Central Office Employees

Research Foundation employees are under the direct supervision of the Executive Director and are not directly funded from a specific grant, contract, and cooperative agreement or from a campus program activity. Central Office employees may be benefited or non-benefited employees. Central Office employees who are designated as "benefited" and who work less than full-time (100% appointment) receive benefits on a pro-rated basis.

Project Employees

Project employees are funded through designated project funds, e.g. from a specific grant, contract, cooperative agreement or from a campus program activity. Project appointments are based upon funding availability. Project employees may be benefited or non-benefited employees. Project employees designated as "benefited" and who work less than full-time (100% appointment) receive benefits on a pro-rated basis.

Benefited Employees

Benefited employees are normally eligible to receive Research Foundation sponsored and subsidized benefits for themselves as well as for their eligible dependents. Benefits include employer paid or subsidized health and ancillary insurance programs and retirement benefits, accrual of vacation hours, accumulation of sick leave hours, and holiday pay.

Benefited employees can be either full-time or part-time employees. In order to be a benefited employee, the position must be designated as such from the outset, and must, at minimum, be a 50% time position and last a minimum of six months. Those employees who work less than full-time (100% appointment) receive vacation accruals, sick leave accumulations, and holiday pay benefits on a pro-rated basis in accordance with their Appointment for the duration of the project, as specified in the Appointment. Any changes to fte for benefited employees should be communicated to HR, and theemployee's profile must be updated.

Non-Benefited Employees

Those employees not specifically designated as benefited are considered non-benefited employees and receive only those benefits that are legally mandated, including workers compensation and state disability insurance. Non-benefited employees are not eligible to receive Research Foundation sponsored or subsidized benefits beyond those benefits specifically mandated by law. Non-benefited employees can be either full-time or part-time employees. For more information, please refer to the Non Benefited Employee Handbook.

Exempt Employees

An exempt employee at the Research Foundation is one whose job requires exercise of discretion and independent judgment that may have significant impact on business operations. An exempt employee is not merely following and applying regulations or guidelines to decision-making, but is frequently called upon to make independent judgments and decisions regarding those guidelines. The requirement to make these independent judgments is one of the employee's most significant job duties, not something he or she occasionally does.

Exempt employees are paid an established salary and are paid to get the job done regardless of hours worked. Exempt employees are not eligible to receive overtime pay, nor are they required to take specific time off for meal breaks or rest breaks. Exempt employees can be either full-time or part-time employees, assuming the salary minimum is adhered to, and benefited or non-benefited.

Non-Exempt Employees

Non-exempt employees are those employees who, based on the types of duties they perform and on the manner of their compensation, are subject to (are not exempted from) the provisions of the Fair Labor Standards Act (FLSA) and California wage and hour laws. Non-exempt employees are entitled to receive overtime pay and are also entitled to be provided with designated meal and rest periods. Because they are paid on an hourly basis, non-exempt employees are required to account for time worked on an hourly and fractional hourly basis and are entitled to be compensated for qualified overtime hours as appropriate, depending on number of hours worked in a day or in a week. Non-exempt employees can be either full-time or part-time employees, benefited or non-benefited.

Full-Time Employees

Employees who are normally scheduled to work 40 hours per week or have a 100% appointment are considered full-time employees. Full-time employees may or may not also be benefited employees.

Part-Time Employees

Employees who are scheduled to work fewer than 40 hours per week or less than 100% appointment are considered part-time employees. Part-time employees may or may not also be benefited employees.

Additional and Overload Employment

"Additional Employment" pertains to employment of staff, and does not include faculty employment. Research Foundation employees may engage in hours of additional employment so long as those additional employment hours do not adversely affect their Research Foundation employment and as long as that additional employment does not create a potential conflict of interest with their Research Foundation employment.

"Overload Employment" pertains to employment of faculty only. The CSU establishes reasonable limits on the total amount of employment time that an individual may work within the CSU system, including its auxiliaries. In accordance with CSU Additional Employment Policy

HR 2002-05, a maximum of 125% time-base CSU system-wide is allowed under certain circumstances. In determining the 125% additional employment cap, both CSU and other CSU auxiliary employment time is considered together.

More information on Additional Employment or Faculty Overload Employment can be found at the CSU website.

Student Assistants

Student Assistants are employees who are students in good standing, enrolled in and regularly attending classes at either SJSU or another institution of higher education or learning. By Research Foundation policy, which aligns with CSU policy, Student Assistants are allowed to work half-time or less (to a maximum of 20 hours per week) during the time that classes are in session, and 40 hours per week during intersession periods (summer and winter). Students under the age of 18 are required by law to obtain a work permit before an offer of employment can be made and are subject to all federal and state child labor laws.

Student Assistants are paid at an hourly rate of pay and are eligible to receive overtime pay, as appropriate. Student Assistants are not normally entitled to receive Research Foundation sponsored benefits beyond those benefits which are legally mandated, including workers compensation and disability insurance. If a student employee is performing duties similar to those assigned under a research project for class credit, the project director must clarify in advance what will be considered paid time under the research project to avoid confusion.

Student assistants who are full-time students at SJSU are eligible for FICA exemption. To qualify for the exemption, student assistants must submit their class schedule each semester, showing the number of units they are taking. Undergraduate students must take a minimum of 6 units, while graduate students must take a minimum of 4 units.

Temporary, Casual Employees

Temporary or Casual employees are those employees whose expected assignment is strictly project based, is temporary in nature, or whose work schedule is intermittent or irregular. Students not currently enrolled in or attending classes at SJSU or another institution of higher education also normally fall into this category.

Temporary or Casual employees are normally non-exempt (hourly) employees. Temporary employees receive only those benefits that are legally mandated, including workers compensation and state disability insurance. Temporary or Casual employees are paid at an hourly rate of pay and are eligible to receive overtime pay, as appropriate.

Volunteers

Volunteers are those persons who donate their time to the Research Foundation for public service, professional development, or other purposes.

A volunteer is not an employee of the Research Foundation for the purposes of wage and hour determinations. Volunteers are also not covered by The Research Foundation workers' compensation insurance program.

Volunteers must be hired by the Principal Investigator or their designee before they actually begin volunteer work. Depending upon the nature of their project and their proposed assignment, a volunteer may be required to undergo the Live Scan ("fingerprinting") process before beginning any volunteer activities at or for the Research Foundation if their assignment falls into a "sensitive assignment" category.

The Research Foundation discourages hiring students as volunteers when the faculty/PI has control over their grades. Students may interpret this as implying that their grades will be affected if they refuse to volunteer. Whenever there is a perception of control while hiring a student volunteer, HR will ask for additional information.

Employment

EMPLOYEE RECORDS ADMINISTRATION POLICY

The Research Foundation Human Resources department maintains employment records for all Research Foundation employees. To protect the privacy of its employees' information, the Research Foundation maintains and stores the records in a manner designed to limit access to only those individuals who have a legitimate reason to access and review the information.

The Human Resources department maintains records containing employment information for all employees. It is important that employees notify the Human Resources department promptly of any changes in their personal information, including their name, home address, telephone number, marital status and number of dependents.

All current employee personnel files are stored electronically, and all documents in the employee's personnel file will remain under the control of the Human Resources department at all times.

If a manager wishes to review an employee's personnel file, the manager must make the request directly to one of the Human Resources professionals. A Human Resources professional will discuss the details of the request with the manager. Only if the manager establishes a legitimate need to know the information contained in the employee's personnel file and the information determined to be needed, will the information from the employee's personnel file be disclosed to the inquiring manager by Human Resources.

Current and former employees may review their personnel file at reasonable intervals and at reasonable mutually convenient times as provided by this policy and in accordance with applicable law. Current and former employees wishing to review their personnel file must submit a written request. They may do so by contacting the Research Foundation Human Resources department.

For more detailed information about the Employee Records Administration policy, please refer to the entire policy at the following link.

STATEMENT REGARDING PRIVACY OF EMPLOYEE INFORMATION

In keeping with its mandate to protect employee privacy, the Research Foundation maintains and stores its employee records in a manner designed to limit access only to those individuals who have a legitimate reason to access and review the information.

There may be instances where employees have access to employee records in the HRIS system. Having "access" does not equate to having a "right" to view or access employee records. No employee at any level is authorized to access employee records without specific advance authorization from Human Resources, and strictly on a "need to know" basis.

EMPLOYMENT VERIFICATIONS

All requests for employment verifications, including written and telephone inquiries, and employee references must be directed to the Human Resources Department.

EMPLOYEE RESIGNATION

Employees are encouraged to provide as much advance notification as possible of their intention to terminate their employment and submit a resignation letter. Whenever possible, the Research Foundation requests advance notification of at least two weeks prior to departure.

Policies, Practices, Procedures

OPEN DOOR

In the workplace, from time to time, there are differences of opinion, miscommunications, and misunderstandings. These difficulties may occur between employees, and sometimes between management and one or more employees. Employees and managers are encouraged to resolve differences at the earliest possible date.

All employees are free to use and are encouraged to seek out our "open doors" in making management aware of your concerns. Human Resources is also available to assist employees in addressing concerns. As a matter of courtesy, we ask that employees first discuss issues with their immediate area manager before elevating concerns or seek out other members of management.

Any unresolved difference of opinion, miscommunication or misunderstanding which impacts the working environment or the job performance of an employee may ultimately have to be resolved by a manager having supervisory responsibility over the employee(s) involved. Unless the resolution involves discipline imposed for unlawful or improper conduct on the part of the employee(s), those affected but who disagree with the decision may follow the procedures outlined in the Open Door philosophy.

While we believe that this Open Door philosophy can benefit both the Research Foundation and its employees, we also know and understand that not every problem can be resolved to everyone's satisfaction. However, we encourage each employee to take advantage of this philosophy without fear of retaliation.

STANDARDS OF CONDUCT POLICY SUMMARY

The Research Foundation expects each employee to conduct him/herself in a courteous, safe, and professional manner at all times while on the Research Foundation's premises and/or conducting Research Foundation business, irrespective of location. The exercise of good judgment, consideration of fellow workers, and respect for the safety and efficiency of the Research Foundation should govern your conduct on the job.

Any behavior by an employee while conducting Research Foundation business in violation of the policies, rules, and procedures of the Research Foundation, including, but not limited to, that conduct which may result in harm to the Research Foundation, its reputation, or in potential harm to an employee, or which interferes with the rights of other employees or customers, or conduct considered to be an act of harassment in any form, may subject the offender to appropriate corrective action, up to and including termination of employment. Nothing in this section is designed to limit an employee's rights under Section 7 of the NLRA.

No Research Foundation employee may accept a gift or gratuity from any customer, vendor, supplier, or other person doing business with the Research Foundation because doing so may give the appearance of impropriety, that is, of undue influence, actual or perceived, over business decisions, transactions or service. Employees must discuss expenses paid by such customers, vendors, suppliers, or other persons for business meals or trips with the Research Foundation in advance of acceptance.

The degree of discipline for violating the policies, rules, or procedures of the Research Foundation or conducting yourself in a manner otherwise inconsistent with the Research Foundation's standards of conduct shall remain within the discretion of Research Foundation's management.

All employees need to report their work hours in each pay period accurately. To ensure equitable and fair treatment of student employees, project directors/managers should establish a work schedule with the student employees in advance. Employees who work overtime will be paid according to California labor laws, regardless of whether it was authorized or not. Any unauthorized overtime can lead to disciplinary action.

If a student employee is performing duties similar to those assigned under a research project for class credit, the project director must clarify in advance what will be considered paid time under the research project to avoid confusion. The Research Foundation discourages hiring students as volunteers when the faculty/PI has control over their grades. Students may interpret this as implying that their grades will be affected if they refuse to volunteer. Whenever there is a perception of control while hiring a student volunteer, HR will ask for additional information.f

NOTE: All Research Foundation employees assigned to work in non-Central office locations, including, but not limited to, State-owned facilities (examples: MLML; NASA AMES; Fish & Game) are subject to all site owner workplace policies and procedures in addition to Research Foundation policies and procedures. Where a conflict exists, site workplace policies and procedures may take precedence.

CONFLICT OF INTEREST POLICY SUMMARY

The SJSU Research Foundation and San José State University actively encourage collaboration between academic researchers and educators and industry in the development of private entrepreneurial ventures. Such endeavors can create an increased risk of financial or other conflicts between the private interests of individuals, the entities with which they are involved, and the public interest that governmental funding serves.

A financial conflict of interest exists when the institution, through its designated official(s), reasonably determines that an investigator's significant financial interest is related to National Science Foundation (NSF), Public Health Service (PHS), or other sponsoring agency that funded the research project and which directly or indirectly affects the design, conduct, or reporting of the funded research project.

Principal Investigators seeking private or non-governmental contracts or grants, or funding from state or federal agencies, must make every effort to avoid financial conflicts of interests—actual or perceived— and make appropriate disclosures. When a conflict does exist, the investigator must annually disclose any significant financial interests (SFI) related to their university responsibilities during the life of a sponsored research project, and within 30 calendar days of discovering or acquiring a new SFI. Significant financial interests will be reviewed by designated campus administrators to determine whether a financial conflict of interest (FCOI) exists. The Research Foundation and San José State University will follow all federal, state, and California State University (CSU) regulations for reviewing SFIs and for identifying, managing, reducing, eliminating, and reporting FCOIs. If it is determined that an FCOI exists, investigators will work collaboratively with a chair, dean, and other SJSU and Research Foundation administrators in preparation and implementation of a management plan to reduce or eliminate the FCOI. The associate vice president for the Office of Research has final approval of the management plan. The PIs and Co-PIs must adhere to the management plan and provide updated information to the Office of Research, as required.

Avoidance of Unfair Advantage

An employee's outside employment, consulting, or other business activity outside the Research Foundation must

not influence decisions made at the Research Foundation in such a way as to give unfair competitive advantage to the outside business organization.

Separation of Research Foundation and Private Interests

An employee's outside employment, consulting, or other outside business activity financially must not affect the Research Foundation's dealing with an outside business organization in which the employee or a near relative of the employee has a financial interest as defined by SJSU Academic Senate Policy S99-8 Academic Freedom and Professional Responsibility.

Use of Privileged or Official Information

The use of privileged or official information for personal financial gain is a type of conflict of interest and is prohibited. Privileged or official information is information that is known to an individual because of his or her connection with the Research Foundation but is not available to the public. In this connection, the term "privileged information" includes but is not limited to: Medical, Personnel, Salary or Patent Records of Individuals. Individual employees have a right to access their own records except as limited by law. Access to records of other employees is normally limited to legitimate need-to-know situations.

Protection of Information Not Yet in Public Domain

A Research Foundation employee, acting as an independent consultant or as an employee of another organization, may not use information, technical skills, or knowledge obtained as a result of Research Foundation employment, that is material or necessary to current or proposed Research Foundation research or development work and that is proprietary to the Research Foundation and not yet in the public domain.

Non-competitive with Research Foundation Projects

An employee's consulting or outside employment activity must not compete with current or proposed Research Foundation projects.

The Research Foundation expects each employee to use good judgment and to maintain high ethical standards and honesty in all business dealings. It is the practice of the Research Foundation to respect the rights of its employees to engage in activities outside their employment that are private in nature and which in no way conflict with or reflect upon the Research Foundation or its corporate image.

For more detailed information about this policy, please refer to the entire policy at the following link:

A complete copy of this policy may be obtained from the Human Resources department.

ALLEGATIONS OF MISCONDUCT IN RESEARCH

Human Resources, in collaboration and partnership with SJSU, will implement its written procedure to be followed in cases where evidence exists or allegations have been made regarding academic misconduct and the obligations of Research Foundation officials involved in investigations of academic misconduct with respect to confidentiality.

Pursuant to the newly enacted Policy, F12-5, Policy Recommendation, Responding to Allegations of Research Misconduct, all members (faculty, staff, and students) of the San José State University (SJSU, University) community are expected to perform their scholarly and scientific activities with the highest ethical standards, honesty, and integrity. Instances of misconduct in research threaten the academic commitment to truth. San José State University will not tolerate misconduct in any aspect of research or scholarly endeavor and will vigorously investigate allegations of misconduct, taking all reasonable steps to protect the rights and interests of individuals whose work or performance is questioned.

The updated policy differs from prior policy in that this remediation system all forms of research and not strictly "scientific" research, and also applies to all research and not just government funded research. Research now includes faculty, staff, and students—all of whom are now subject to the provisions of this policy.

SJSU policy, which will be followed by the Research Foundation, applies to research conducted under an externally funded sponsored project that is awarded to the University or one of its auxiliary organizations, internally funded research and unfunded research conducted by faculty, staff, or students. Any individual who may work on or contribute to such a project, whether for monetary compensation or not, is covered by this policy.

The scope of this policy includes any research proposed, performed, reviewed or reported, or any research record generated from that research, regardless of whether an application or proposal for external funds resulted in an award. The scope of this policy does not apply to

authorship or collaboration disputes. It applies only to allegations of research misconduct that occurred within six years of the date the institution or the sponsor received the allegation, subject to the subsequent use, health and safety of the public, and grandfather exceptions in 42CFR93.105(b).

Allegations of misconduct directed at faculty research involving sponsored projects will be adjudicated through the policy and procedures established by this policy. Allegations of misconduct directed at faculty research, whether funded by a source other than sponsored projects or unfunded but falling within the scope of the individual's employment for SJSU will be adjudicated through these procedures in consultation with the Division of Academic Affairs.

Allegations of misconduct directed at student research involving sponsored projects will be adjudicated through the policy and procedures established by this policy. Allegations of misconduct directed at student research, funded by a source other than sponsored projects or unfunded, will be adjudicated through these procedures in consultation with the Division of Student Affairs.

All Research Foundation employees will report observed, suspected, or apparent research misconduct to the Research Integrity Officer (RIO), who, pursuant to the policy, is the Associate Vice-President for Graduate Studies and Research. If an individual is unsure whether a suspected incident falls within the definition of research misconduct, he or she may meet with or contact the RIO to discuss the suspected research misconduct informally, which may include discussing it anonymously and/or hypothetically. If the circumstances described by the individual do not meet the definition of research misconduct, the RIO will refer the individual or allegation to other offices or officials with responsibility for resolving the problem.

OUTSIDE EMPLOYMENT AND CONSULTING ACTIVITIES POLICY SUMMARY (NON-FACULTY EMPLOYEES ONLY)

Research Foundation employees who wish to engage in outside employment must comply with the Research Foundation's outside employment policy. Before Research Foundation employees can engage in outside employment, the employee must disclose his/heroutside employment activity in writing to the Research Foundation's Human Resources department and obtain written approval of the outside employment from the Human Resources Department.

"Outside employment" is defined as employment by Research Foundation employees, which is not compensated through the Research Foundation. "Outside employment" includes, but is not limited to, employment with SJSU and other CSU campuses or their affiliated auxiliaries. The "outside employment" applies to, but is not limited to consulting, part-time employment, and short-term employment. An arrangement to "volunteer" time to an outside project that falls within these constraints is also intended to be included in this policy.

No Research Foundation employee may engage in outside employment if that outside employment in any manner poses a conflict with the employee's assignment with the Research Foundation, without the advance written approval of the Research Foundation's Human Resources Department.

Research Foundation employees may engage in outside employment activities, subject to the following restrictions:

a) Outside employment activities must occur outside an employee's normal Research Foundation work schedule.

b) Research Foundation employees may not engage in outside employment activities that interfere with their Research Foundation work assignment or the satisfactory performance of their Research Foundation job duties.

c) The outside employment must not create a real or apparent conflict of interest either with the Research Foundation or the employee's work with the Research Foundation.

- All outside employment activities must be conducted without the use of Research Foundation supplies, equipment, or facilities. Outside employment activities must not use or access privileged, official, or protected Research Foundation information.
- The employee strictly agrees that all previous, current and future work done by him or her as an employee of the Research Foundation, which in any way relates to the conception, design, development or support of work product for the Research Foundation is the property of the Research Foundation and may not be used or accessed for any outside employment venture or activity or any other purpose.[1]
- No portion of the employee's work time due to the Research Foundation may be devoted to the

employee's outside employment or other non-Research Foundation purposes.

- The employee commits that he/she will strictly maintain in confidence and will neither disclose, use, or access, either during or after the term of their employment relationship, any proprietary of confidential information or know-how belonging to the Research Foundation, whether or not it is in written or permanent form, except to the extent required to perform duties on behalf of the Research Foundation in their capacity as an employee. Mere words or actions by any member of management at any level, including senior management or faculty, cannot be interpreted as creating, or as intended to create, an express or implied permission. Authorized and formal written permission must be granted to disclose, use, or access proprietary or confidential information via a formal document signed by the Executive Director of the Research Foundation or his or her designee. Such proprietary and confidential information includes, but is not limited to, technical and business information relating to the Research Foundation's inventions or products, research and development, production processes, manufacturing and engineering processes, machines and equipment, finances, customers, investors, marketing, and production and business plans.

d) The outside employment must also comply with limitations established by the CSU system.

Disclosure and Reporting Requirements

Employees approved to engage in outside business activity, as defined by the Research Foundation's policy, are required to disclose certain information to the Research Foundation as certain changes occur in the employee's outside employment. These disclosures are necessary so that the outside employment activity can be reviewed for continued appropriateness and to satisfy Research Foundation requirements. Employees must provide this information and obtain the necessary written approval from the Research Foundation's Human Resources Department before continuing in the outside employment.

The following information must be disclosed to the Research Foundation's Human Resources Department:

a) Changes in the employee's outside employment relationship or assignment.

b) An appreciable change in the number of hours involved in outside employment or endeavors.

c) That the employee is being investigated by a federal or state agency that has as its subject the improper use of information obtained or actions taken for personal gain by the employee in the course of his or her outside employment.

d) Any other information about the outside employment, which may impact the employee's employment with the Research Foundation.

All disclosures and reporting of outside employment activity must be provided in writing to the Research Foundation's Human Resources Department. Failure to comply with the outside employment policy may result in disciplinary action, up to and including termination of employment.

BACKGROUND CHECKS POLICY SUMMARY

Background checks are required for all new or re-hired benefited employees. Individuals currently employed in positions in which a background check is required by law are also required to undergo background checks. Current employees are also subject to background checks if they move into new positions that are designated as "sensitive" positions. "Current employees" includes all active employees.

In addition to the above requirements, Live Scan checks are required for all individuals, including all, volunteers, consultants, and employees of outside entities and independent contractors who perform work involving direct contact with minor children as part of normal business operations, including events operated by the CSU or on CSU property, a CSU auxiliary, or by an outside entity. Agreements with outside entities and with Independent Contractors include this requirement, along with an agreement to undergo this requirement as appropriate.

The Research Foundation will ensure that all background checks are conducted in compliance with applicable federal and state statutes, and that the confidentiality of all

[1]This does not apply to any invention which fully qualifies under the provisions of California Labor Code section 2870, which provides in full: "(a) Any provision in an employment agreement which provides that an employee shall assign, or offer to assign, any of his or her rights in an invention to his or her employer shall not apply to an invention that the employee developed entirely on his or her own time without using the employer's equipment, supplies, facilities, or trade secret information except for those inventions that either: (1) Relate at the time of conception or reduction to practice of the invention to the employer's business, or actual or demonstrably anticipated research or development of the employer; or (2) Result from any work performed by the employee for the employer. (b) To the extent a provision in an employment agreement purports to require an employee to assign an invention otherwise excluded from being required to be assigned under subdivision (a), the provision is against the public policy of this state and is unenforceable."

background check information is maintained to the extent permitted by law. The types of background checks to be conducted are set forth in this policy and are based on the nature of the position. Job postings for positions that require background checks shall specifically state the requirement.

For questions about this policy, please contact the Research Foundation's Human Resources Director or designee.

For more detailed information about the Background Checks policy, please refer to the entire policy at the following link.

EQUAL EMPLOYMENT OPPORTUNITY - AFFIRMATIVE ACTION POLICY SUMMARY

It is the policy of the SJSU Research Foundation to provide equal opportunity to all persons without regard to race, color, religion, religious creed (including religious dress and religious grooming), sex (including pregnancy, perceived pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity (including transgender identity), gender expression and sex stereotyping, national origin, ancestry, citizenship, age, physical or mental disability, legally protected medical condition or information (including genetic information), family care or medical leave status, military caregiver status, military status, veteran status (including status as disabled veteran, recently separated veteran, Armed Forces Service Medal Veteran, Active Duty Wartime or Campaign Badge Veteran (collectively referred to as "Protected Veterans"), marital status, domestic partner status, sexual orientation, status as a victim of domestic violence, sexual assault or stalking, enrollment in a public assistance program, engaging in protected communications regarding employee wages, requesting a reasonable accommodation on the basis of disability or bona fide religious belief or practice, or any other basis protected by local, state, or federal laws. The Research Foundation policy prohibits harassment of applicants or employees related to these bases, and strives to be free from all forms of unlawful discrimination, harassment, and retaliation. The Research Foundation consistently administers this policy by:

- Posting all required notices regarding employee rights under EEO laws in all locations.
- Advertising for job openings with the statement "An Equal Opportunity Employer"
- Posting all benefited positions with the appropriate state agencies.
- Prohibiting retaliation against any individual who files a complaint of discrimination, harassment, or assists, testifies or participates in an EEO agency or other government agency proceeding.
- Requiring employees to report any apparent discrimination or harassment promptly to management or Human Resources.
- Investigating all reports of discrimination and/or harassment promptly and take appropriate remedial steps.
- Requiring equal opportunity for disabled persons and Protected Veterans.
- Opposing any act or practice made unlawful by any law requiring equal opportunity for disabled persons and Protected Veterans.

Exercising any other employment right protected by the Vietnam Era Veterans' Readjustment Assistance Act of 1974 or Section 503 of the Rehabilitation Act of 1973, or their implementing regulations.

The Research Foundation has established a continuing Affirmative Action Program to assure equal employment opportunity in all policy decisions affecting recruitment, selection, assignment, promotion, training, and all other terms and conditions of employment. There is an audit and reporting system in place to measure the effectiveness of Research Foundation's affirmative action plans.

Employees and applicants will not be subjected to reprisal, harassment, intimidation, threats, coercion or discrimination because they:

(1) file a complaint with the Research Foundation or with government agencies;

(2) assist or participate in any investigation, compliance review, hearing, or any other activity related to the administration of any law requiring equal opportunity for disabled persons and protected veterans;

(3) oppose any act or practice made unlawful by any law requiring equal opportunity for disabled persons and protected veterans;

(4) exercise any other employment right protected by the Vietnam Era Veterans' Readjustment Assistance Act of1974 or Section 503 of the Rehabilitation Act of 1973, or their implementing regulations.

The Research Foundation will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is:

(a) in response to a formal complaint or charge,

(b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or

(c) consistent with the Research Foundation's legal duty to furnish information.

REASONABLE ACCOMMODATION

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the Research Foundation will make reasonable accommodations for qualified individuals with known disabilities, unless doing so would result in an undue hardship to the organization.

Any applicant or employee who requires an accommodation in order to perform the essential functions of his or her position must contact the Research Foundation's Human Resources director or designee to request such an accommodation. The individual with the disability should specify what accommodation he or she believes is necessary or appropriate to perform the job. The Research Foundation will then undergo an interactive process, through which it will identify barriers that interfere with the equal opportunity of the applicant or employee to perform that job.

The Research Foundation will identify possible accommodations, if any, that will help eliminate the limitation. If the accommodation is reasonable and will not impose an undue hardship upon its operations, the Research Foundation will make the accommodation.

LACTATION ACCOMMODATION

Employees have a right to request an accommodation for lactation. Employees who require this accommodation must notify the Human Resources Director or designee, who will partner and collaborate with the employee's department to both ensure that appropriate time off is allowed for this accommodation, and to ensure that a private location is agreed upon to be provided. This private location will be free from intrusion during lactation, safe, clean, and free of hazardous materials. It will have a surface upon which to place a breast pump and other personal items; will have access to electricity including extension cords; will have access to a sink with running water and a refrigerator or other cooling device; and will contain a seating to express milk. We will also work with the employee on a schedule that allows the employee to take reasonable breaks for lactation.

For further details, please review the entire Lactation Accommodation Policy as noted in the SJSU Research Foundation site at the following link.

If an employee believes that the Research Foundation has not complied with a lactation accommodation requirement, please let us know so we can resolve the situation. Otherwise, an employee may file a complaints with the State Labor Commissioner's office at the following link.

DISCRIMINATION, HARASSMENT, AND RETALIATION (DHR) POLICY SUMMARY

The Research Foundation is committed to maintaining an inclusive community that values diversity and fosters tolerance and mutual respect, and is committed to providing a workplace free of unlawful harassment and discrimination. The Research Foundation provides equal opportunity for all persons regardless of their actual or perceived protected status, including their actual or perceived race, color, religion, religious creed (including religious dress and religious grooming), sex (including pregnancy, perceived pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity (including transgender identity), gender expression and sex stereotyping, national origin, ancestry, citizenship, age, physical or mental disability, legally protected medical condition or information (including genetic information), family care or medical leave status, military caregiver status, military status, veteran status (including status as disabled veteran, recently separated veteran, Armed Forces Service Medal Veteran, Active Duty Wartime or Campaign Badge Veteran (collectively referred to as "Protected Veterans"), marital status, domestic partner status, sexual orientation, status as a victim of domestic violence, sexual assault or stalking, enrollment in a public assistance program, engaging in protected communications regarding employee wages, requesting a reasonable accommodation on the basis of disability or bona fide religious belief or practice, applicants or employees who do not disclose information with regard to reproductive heath decision-making or any other basis protected by local, state, or federal laws. This policy extends to all employment practices, including recruitment, hiring, promotion, training, compensation, benefits, transfer, separation, and other terms,

conditions, or privileges of employment. It also includes accommodations, advantages, facilities, privileges and services for all members of the organization.

The Research Foundation prohibits harassment of any kind, including sexual harassment, sexual misconduct, dating and domestic violence, stalking, and bullying. Such behavior violates Research Foundation policy and may also violate state or federal law.

Harassment Defined

Harassment includes verbal, physical, and visual conduct that creates an intimidating, offensive, or hostile working environment or that interferes with an employee's work performance. Such conduct constitutes harassment when (1) submission to the conduct is made either an explicit or implicit condition of employment; (2) submission or rejection of the conduct is used as the basis for an employment decision; or (3) the harassment interferes with an employee's work performance or creates an intimidating, hostile, or offensive work environment.

Sexually harassing conduct in particular may include all of these prohibited actions, as well as other unwelcome conduct, such as requests for sexual favors, conversation containing sexual comments, and other unwelcome sexual advances. Sexually harassing conduct can be by a person of either the same or opposite sex. Sexually harassing conduct need not be motivated by sexual desire to be a violation of this policy.

Reporting and Investigating Harassing Conduct

The Research Foundation understands that victims of harassment are often embarrassed and reluctant to report acts of harassment for fear of being blamed, concern about being retaliated against, or because it is difficult to discuss sexual matters openly with others. However, no employee should have to endure harassing conduct, and the Research Foundation therefore encourages employees to promptly report any incidents of harassment so that corrective action may be taken]. Any incidents of harassment, including work-related harassment by any Research Foundation personnel or any other person, should be reported immediately to the Human Resources Director or designee, who is responsible for investigating harassment complaints. An employee is not required to complain to the Human Resources representative if that person is the individual who is harassing the employee, but may instead report the harassment to his or her immediate supervisor or any other member of management. Supervisors and managers who receive complaints or who observe harassing conduct must immediately inform the Human Resources representative or other appropriate company official so that an investigation may be initiated.

In addition to notifying the Research Foundation about harassment or retaliation complaints, affected employees may also direct their complaints to the California Department of Fair Employment and Housing ("DFEH"), which has the authority to conduct investigations of the facts. The deadline for filing complaints with the DFEH is three years from the date of the alleged unlawful conduct. The courts have the authority to award monetary and non-monetary relief in meritorious cases. Employees can contact the nearest DFEH office at the locations listed in the Research Foundation's DFEH poster or by checking the State Government listings in the local telephone directory. You can also file claims with the Equal Employment Opportunity Commission.

Corrective Action

The Research Foundation will not tolerate retaliation against any employee for making a good faith complaint of harassment or for cooperating in an investigation. If harassment or retaliation in violation of this policy is established, the Research Foundation will take appropriate corrective action. Corrective action may include, for example: training, referral to counseling, or disciplinary action ranging from a verbal or written warning to termination of employment, depending on the circumstances. With regard to acts of harassment by customers or vendors, corrective action will be taken after consultation with the appropriate management personnel.

Employees will not experience retaliation as a result of lodging a complaint or participating in any workplace investigation.

Abusive Conduct

In addition to the above-referenced prohibitions against harassment, the Research Foundation will not tolerate abusive conduct. Abusive conduct/bullying is defined as: Conduct of an employer or employee in the workplace, with malice, that a reasonable person would find hostile, offensive, and unrelated to an employer's legitimate business interest.

Abusive conduct may include:

- Repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets;
- Verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating;
- The gratuitous sabotage or undermining of a person's work performance. Such abusive conduct

will not be tolerated.

- Visual behavior such as displaying or sharing insulting or offensive cartoons, sexually suggestive or lewd pictures or photographs.

DRUG AND ALCOHOL ABUSE POLICY SUMMARY

The Research Foundation maintains a drug free workplace pursuant to its legal obligations, as a recipient of federal contracts and funding, pursuant to the provisions of the Federal Drug Free Workplace Act of 1988. The Research Foundation also complies with the provisions of California's Drug-Free Workplace Act of 1990. As a responsible employer and partner of the San José State University community, the Research Foundation is concerned about employees' use, sale, or possession of alcohol, illegal drugs, narcotics, or controlled substances, as they affect both the individual and their workplace. The use or possession of alcohol, illegal drugs or controlled substances on the job constitutes a potential danger to the safety and welfare of colleagues and fellow employees, and exposes the Research Foundation to the risks of injury or property loss or damage. Even misuse of prescription drugs and/or over-the-counter drugs can affect an employee's job performance and may likewise seriously impair the employee's productive contributions. Use or possession of illegal substances, including marijuana, or alcohol when abused, can seriously detract from an employee's good judgment, work performance, efficiency, safety, and health, and thus tends to seriously impair the employee's ability to productively contribute to the company's objectives. While the passage of Proposition 64 in California legalized recreational use of marijuana in California, marijuana remains an illegal Schedule I substance under the federal Controlled Substances Act. Both federal and state drug-free workplace acts continue to prohibit use of "controlled substances," as defined under the federal Controlled Substances Act. Federal and state laws continue to require federal contractor employers such as the Research Foundation to maintain a workplace free from drugs and to certify that the organization is drug-free. Proposition 64 expressly does not change the Research Foundation's status as a drug-free workplace. Also, Proposition 64 does not change the Research Foundation's policies prohibiting the use of marijuana or complying with federal law.

Conduct that violates the Research Foundation's Drug and Alcohol policy includes the following: a) Manufacture, use, possession, offer for sale, or being under the influence of illegal drugs, including marijuana, or of alcohol during working hours, including lunch and break periods. b) Manufacture, use, possession, offer for sale, or being under the influence of illegal drugs, including marijuana, on Research Foundation property at any time. "Research Foundation" property includes all work areas of a Research Foundation's assignment, irrespective of formal ownership or title. c) An employee's conviction on a charge of illegal sale or possession of any controlled substance, including marijuana, while off company property also violates this policy. Such conduct, even though off duty, reflects adversely on the Research Foundation, its business, and its employees, and may also compromise employee safety and welfare.

For more detailed information about this policy, please refer to the entire policy.

VICTIMS OF DOMESTIC VIOLENCE, SEXUAL ASSAULT, AND STALKING POLICY SUMMARY

As a responsible employer and in compliance with applicable California Labor Code mandates, the Research Foundation will not discriminate or retaliate against a victim of domestic violence, sexual assault or stalking for taking time off work for legal proceedings or to secure medical treatment.

An employee will not be discharged or in any manner discriminated or retaliated against because of his/her status as a victim of domestic violence, sexual assault, or stalking if either:

- The victim has provided notice to the Research Foundation of their status as a victim of one of these types of crimes; or
- The Research Foundation has actual knowledge of the status.

This anti-discrimination protection is in effect irrespective of whether the employee has requested time off.

An employee who is a victim of domestic violence, sexual assault or stalking is afforded legal protections if she or he needs to take time off from work to obtain or attempt to obtain any relief or to appear in related legal proceedings. The Research Foundation will maintain the confidentiality of any employee who requests leave as a result of domestic violence, sexual assault and stalking

Relief includes, but is not limited to:

- A temporary restraining order
- A restraining order
- Other court-ordered relief to help ensure the health, safety or welfare of the victim or his/her child.

Requesting Leave

For Legal Proceedings

The Research Foundation asks that employees who are the victims of domestic violence, sexual assault or stalking provide reasonable advance notice of their intent to take time off, unless such notice is not feasible.

The employee will be asked to provide a certification of the need for leave to the Research Foundation within a reasonable time, which will be determined by the individual circumstance. The employee can apply any accumulated sick leave hours for their time off for the purpose of this leave, with documentation of their time off. Employees may also apply their accrued vacation hours for the purpose of this leave.

For Medical Attention

Employees who are victims of domestic violence or sexual assault are also protected from termination, discrimination or retaliation for taking time off from work for the following reasons:

- To seek medical attention for injuries caused by domestic violence, sexual assault or stalking
- To obtain services from a domestic violence shelter, program or rape crisis center as a result of domestic violence sexual assault or stalking
- To obtain psychological counseling related to domestic violence sexual assault or stalking
- To participate in safety planning and take other actions to increase safety from future domestic violence, sexual assault or stalking, including temporary or permanent relocation.

This leave is in addition to the requirements related to time off for legal proceedings.

Employees must give reasonable advance notice of their intent to take time off, if feasible.

The Research Foundation will maintain the confidentiality of any employee who requests leave as a result of domestic violence, sexual assault or stalking.

All employees who encounter this difficult situation are asked to immediately contact a Human Resources department professional as soon as they are able to.

WORKPLACE VIOLENCE POLICY SUMMARY

The Research Foundation, in alignment with the CSU, is committed to creating and maintaining a working, learning and social environment that is free from violence for all employees.

Civility, understanding and mutual respect toward all persons are intrinsic to the existence of a safe and healthy workplace. Threats of violence or acts of violence not only impact the individuals concerned, but also the mission of the Research Foundation to support San Jose State University's mission through open dialogue and the free exchange of ideas.

The Research Foundation's policy is that there will be zero tolerance for violent acts or threats of violence. Any employee who commits a violent act or threatens to commit a violent act is subject to disciplinary action, up to and including termination, based on the circumstances, and/or civil or criminal prosecution, as appropriate.

The Research Foundation has zero tolerance for violence against any member of the workforce, other persons in the workplace, or property.

For the purpose of this policy, violence and threats of violence include, but are not limited to:

- Any act that is physically assaultive; or
- Any threat, behavior or action that is interpreted by a reasonable person to carry potential:
    - To harm or endanger the safety or others;
    - To result in an act of aggression; or
    - To destroy or damage property.

Established personnel and public safety procedures will serve as the mechanism for resolving situations of violence or threats of violence. Each allegation of violence or threat of violence will be taken seriously. Individuals are encouraged to report acts of violence, threats of violence, or any other behavior, which by intent, act or outcome harms another person or property, to their supervisor or to Human Resource Services.

Workplace Violence Defined

Workplace violence includes, but is not limited to, the following:

- Threats of any kind, made directly or indirectly.
- Threatening, physically aggressive, or violent behavior, such as intimidation of or attempts to instill fear in others.
- Other behavior that suggests a propensity towards violence, which can include belligerent speech, excessive arguing or swearing, sabotage, or threats to Research Foundation property, or a demonstrated pattern of refusal to follow Research Foundation

policies and procedures.

- Defacing Research Foundation property or causing physical damage to its facilities.
- With the exception of security personnel, bringing weapons or firearms of any kind onto either Research Foundation premises, including parking lots, or while conducting Research Foundation business.
- Using company property in a threatening, hostile, or intimidating manner.

If any employee observes or becomes aware of any kind of the above listed actions or behavior by an employee, customer, consultant, visitor, or anyone else, they should notify a manager, functional director, or the director of Human Resources (or designee) immediately. Employees should also notify their manager and/or Human Resources if any restraining order is in effect, or if a potentially violent non-work related situation exists that could result in violence in the workplace.

The Research Foundation will not tolerate retaliation against any employee who reports workplace violence.

If the Research Foundation determines that the workplace violence has occurred, appropriate corrective action will be administered by imposing discipline on offending employees.

The appropriate level of discipline will depend on the particular facts and may include written or oral warnings, probation, reassignment of responsibilities, suspension, or termination, or further legal or equitable remedies (restraining orders), at the sole discretion of the Research Foundation.

Investigation

All reports of workplace violence will be taken seriously and will be investigated. The investigation will be undertaken and completed in as prompt and as confidential a manner as possible, under the direction of the director of Human Resources or designee. Written statements will be obtained from those persons involved either as participants or as witnesses. Depending upon the facts and allegations, the Research Foundation may involve local law enforcement in any investigation at any point, as is deemed appropriate.

The Research Foundation will make every effort to maintain confidentiality. However, there may be instances where it is deemed appropriate to discuss investigation information. In appropriate circumstances, the Research Foundation will inform the reporting individual of the results of the investigation. To the extent possible, the Research Foundation will maintain the confidentiality of the reporting employee and of the investigation. However, the Research Foundation may need to disclose results in appropriate circumstances, for example, in order to protect individual safety.

Under certain circumstances, the Research Foundation may require that the employee participate in formal counseling as a condition of return to work or of continued employment.

For more detailed information about this policy, please refer to the entire policy.

SOLICITATION AND DISTRIBUTION POLICY SUMMARY

In order to ensure efficient operation of Research Foundation business and to prevent disruption to its employees, the Research Foundation has enacted rules applicable to all employees governing solicitation, distribution of written material, and entry onto the premises and work areas. All employees are expected to comply strictly with these rules. Any employee who has questions or concerns regarding the application of these rules should consult with their manager or with the Human Resources Director or designee.

In line with our general policy, employees' emails must not be used to solicit for outside business ventures, personal parties, social meetings, charities, membership in any organization, political causes, religious causes, or other matters not connected to the company's business.

The Research Foundation's policy prohibits employees from solicitation during working time, during those times of the work day when the employee is supposed to be engaged in work. Non-working time refers to meal breaks, rest breaks, and times prior to the beginning of the employee's work day or at the end of the employee's work day.

Research Foundation policy also restricts employees with respect to the distribution of literature. The Research Foundation's policy prohibits employees from distributing union literature in working areas even if it is on non-working time. This policy does not include prohibiting employees from distributing union cards during non-working time in working areas would, as this is considered coercive of employees' protected rights.

Solicitation by Non Employees

The Research Foundation's policy prohibits non-Research Foundation individuals from accessing Foundation property or facilities with the express purpose of distributing literature. Under no circumstances will non-employees be permitted to solicit or to distribute written

material for any purpose on the Research Foundation property.

COMPUTER AND TELECOMMUNICATIONS POLICY SUMMARY

The Computer and Telecommunications Policy is meant to ensure that company issued and computer hardware and software, telephone systems and electronic devices, and technology resources represent the Research Foundation in a mature and strictly professional light. It is also meant to prevent tarnishing the public image of the Research Foundation.

The Research Foundation's computer hardware and software, its telephone systems and electronic devices, and its technology resources are all property of the Research Foundation. All such company property is provided and maintained by the Research Foundation. The Research Foundation's policy is that all such company property is to be used in pursuit of legitimate business interests.

For security and network maintenance purposes, the IT Manager or designee may review any equipment, systems and network traffic at any time. Except as required by applicable data protection laws, employees or users of company e-messaging systems shall have no expectation of privacy in anything they store, send, or receive on the Research Foundation's computer hardware and software systems, telephone systems, electronic devices, and technology resources. The Research Foundation may override any applicable passwords or codes in accordance with the best interests of the Research Foundation, its employees, or its clients, customers or visitors.

Any work that an employee performs, accesses, or transmits on the Research Foundation's computer systems or other technical resources, as noted above, during the course of their normal work day may be subject to investigation, search and review in accordance with company policy. In addition, any electronically stored communications that an employee either accesses, sends to or receives from others may be retrieved and reviewed where such investigation serves the legitimate business interests and obligations of the Research Foundation.

All data created on company systems remains the property of the Research Foundation. Because of the need to protect the Research Foundation's network, the Research Foundation cannot guarantee the confidentiality of personal information stored on any network device belonging to company, including, without limitation, emails, text messages, IMs, voicemails, Webmail, and other electronic communications.

All users must comply with marking guidelines, access, distribution, storage, and retention guidelines for confidential information. All users must keep passwords secure and may not share accounts. Authorized users are responsible for the security of their passwords and accounts.

Employees must use extreme caution when opening e-mail attachments received, as such attachments may contain viruses that may negatively affect your or the Research Foundation's systems.

All company users must comply with all applicable Research Foundation, State and Federal laws, guidelines, policies, regulations, and procedures pertaining to confidentiality and privacy. Abuse or misuse of the Research Foundation's computer hardware and software, its telephone systems and electronic devices, and its technology resources will result in appropriate disciplinary action, up to and including termination of employment.

A complete copy of this policy may be obtained from the Human Resources department.

Confidentiality and Non-Disclosure of Records Policy Summary

Information pertaining to the business operations of the San Jose State University Research Foundation must be maintained in a confidential manner at all times.

As an employee who has or may be granted access to Research Foundation records, including those in computer information systems, including Human Resources, Payroll, Finance, IT or any other source data, you are required to maintain this information in a confidential manner. Unauthorized access to, modification, deletion or disclosure of information, either internally among unauthorized employees or departments or externally to outside parties, may compromise the integrity of the Research Foundation's business operations, violate individual rights of privacy, and/or constitute a criminal act.

The Research Foundation's records and its computer information systems, which include third party vendor payroll systems, are to be accessed by authorized users with a right to know only. Reproduction or distribution of any record, document, or information outside of its intended and approved use either verbally, electronically or by hard copy is strictly prohibited and will result in disciplinary action, up to and including termination of employment.

In the event that you download, access, process, transfer or otherwise communicate Confidential Information, you

agree to strictly comply with all laws and regulations, internal as well as external, applicable to exports and re-exports of data and information. You will not, directly or indirectly, export or re-export any Confidential Information in violation of such laws and regulations, including, without limitation, those prohibiting export or re-export to restricted private organizations, countries or without governmental authorization.

Further, illegal access and/or misuse of this information may be punishable by fine and/or imprisonment in accordance with applicable local, state and federal laws.

Telecommuting Policy

Telecommuting refers to working at home or at other off-site locations that are linked electronically (via computer, fax, etc.) to the main project area of operation. Teleworking is a cooperative arrangement between the Research Foundation and an employee determined by the project needs. This policy does not apply to situations where a Manager occasionally allows an employee to work at home on a particular day or instance, on a case-by-case basis.

The Research Foundation will also consider "telecommuting" as a reasonable accommodation to a disabled employee under the terms of the ADA and the FEHA. Telecommuting may be considered, where and to the extent reasonable, to accommodate an individual with a disability who can perform the essential functions of the employee's job from home, on a case-by-case basis.

The need to offer an ADA or FEHA disability-related accommodation to work from home on a regular basis will be discussed by Human Resources with the employee by engaging in a timely, good-faith interactive process to determine effective reasonable accommodations.

The Research Foundation cannot and will not accommodate a qualified individual with a disability if and when the accommodation would cause an undue hardship to the organization.

For more information on the policy of the Research Foundation as it applies to the Central Office and its assigned employees please contact the SJSU Research Foundation HR Management team.

SOCIAL MEDIA POLICY SUMMARY

The Research Foundation understands that social media can be a powerful tool to share information. However, use of Social Media also presents certain risks and carries with it certain responsibilities. To assist employees in making responsible decisions about use of social media, the following guidelines have been established.

Nothing in this policy is designed to limit an employee's rights under Section 7 of the National Labor Relations Act.

General Guidelines

In the rapidly expanding world of electronic communication, Social Media can mean many things. For the purposes of this policy, Social Media includes all means of communicating or posting information or content of any sort on the Internet, including to an employee's own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the Research Foundation, as well as any other form of electronic communication.

The same principles and guidelines found in other Research Foundation policies as well as specific guidelines listed below apply to an employee's activities online. Ultimately, each employee is solely responsible for what he or she posts online. Before creating online content, the employee is urged to consider the risks and rewards that are involved. Be aware that any conduct that adversely affects an employee's job performance, the performance of fellow employees or that directly or indirectly adversely affects customers, vendors, suppliers, or people who work on behalf of the Research Foundation or its legitimate business interests may result in appropriate corrective action, up to and including termination of employment.

Know and Follow the Rules

Each employee is urged to carefully read these guidelines in conjunction with other relevant Research Foundation policies, including the Harassment and Discrimination and Workplace Violence policies, and ensure that postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated, and may subject an employee to corrective action up to and including termination of employment, depending upon the infraction.

Be Respectful

The employee should always be fair and courteous to fellow employees, customers, vendors, suppliers or people who work on behalf of the Research Foundation. The employee should also keep in mind that he or she is more likely to resolve work related complaints by

speaking directly with co-workers or by utilizing the Research Foundation's Open Door Policy than by posting complaints to a social media outlet. Nevertheless, if an employee decides to post complaints or criticism, the employee must avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparages employees, customers, vendors, or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or by company policy.

Be Honest and Accurate

The employee must ensure to always be honest and accurate when posting information or news, and if the employee makes a mistake, the employee must correct it quickly. The employee should be open about any previous posts he or she may have altered. The Internet archives almost everything, and therefore, even deleted postings can be searched. An employee must never post any information or rumors that the employee knows to be false about the Research Foundation or about fellow employees, customers, vendors, suppliers, or people working on behalf of the Research Foundation.

Only Post Appropriate and Respectful Content

Maintain the confidentiality of the Research Foundation's private or confidential company information. This may include information regarding the development of systems, processes, products, know-how and company technology. Do not post internal reports, policies, procedures or other internal business related confidential communications.

Respect Financial Disclosure Laws.

Never post financial information that is work related on the website.

Do not create a link from your blog, website or other social networking site to a Research Foundation website without identifying yourself as a Research Foundation employee.

Express only personal opinions. The employee must never represent him or herself as a spokesperson for the Research Foundation. If the Research Foundation is a subject of the content the employee is creating, the employee must be clear and open about the fact that he or she is an employee, and make it clear that personal views do not represent those of the Research Foundation, fellow employees, customers, vendors, suppliers or people working on behalf of the Research Foundation.

If an employee does publish a blog or post online related to the work he or she does or is related to subjects associated with the Research Foundation, the employee must make it clear that he or she is not speaking on behalf of the Research Foundation. It is best to include a disclaimer such as "The postings on this site are strictly my personal views and do not necessarily reflect the views of the Research Foundation."

Using Social Media at Work

While on work time, the employee should refrain from using Social Media or on equipment provided by the Research Foundation unless it is work related as authorized by the employee's manager or consistent with appropriate Research Foundation policies.

The employee may not use his or her Research Foundation email addresses to register on social networks, blogs or other online tools utilized for personal use.

Retaliation Is Prohibited

The Research Foundation prohibits taking negative action against any employee for reporting a possible violation of this policy or for cooperating in an investigation. An employee who retaliates against another associate for reporting a possible deviation from this policy or for cooperating in an investigation may be subject to corrective action, up to and including termination of employment.

Media Contacts

No employee is authorized to speak to the media on behalf of the Research Foundation. All media inquiries must be immediately directed to the office of the Executive Director.

Employees who have questions or need further guidance should contact the Human Resources department.

INTELLECTUAL PROPERTY POLICY SUMMARY

In accordance with SJSU Academic Senate Policy F98-3 Intellectual/Creative Policy, the SJSU Research Foundation acts as the agent for the University in the administration of patents, licensure and commercialization. Therefore, when outside employment activity involves entering into a contractual agreement containing a claim for intellectual property (invention and patent rights), Research Foundation management approval is required.

The Director of Sponsored Research must review and approve the text pertaining to intellectual property for any proposed outside consulting or employment agreement before execution of the agreement by the employee. Questions regarding inventions and patent articles in a proposed consulting agreement should be referred to the Director of the Office of Sponsored Programs.

For more detailed information about this policy, please refer to the entire policy.

NEPOTISM POLICY SUMMARY

Nepotism in the workplace occurs when an employee in a supervisory or managerial position with an employer favors their relatives working for the same employer in making employment decisions on the basis of kinship, because they are a family member or a close friend of the person in position or power, without giving due consideration to their qualifications or merit.

In order to reduce the potential for such favoritism, it is the Research Foundation's policy that such employment relationship will not create an actual or perceived conflict of interest. Additionally, No Research Foundation employee will vote, make recommendations, or in any way participate in any personnel matter which may directly affect the selection, appointment, evaluation, retention, compensation, termination, or other employment related matter or interest of his/her family member(s).

The Research Foundation believes this policy will help to ensure that an employee's family members will receive appropriate and unbiased consideration for selection, appointment, evaluation, retention, tenure, compensation, promotion, termination, other employment matter or interest with the Research Foundation where the potential of supervision, safety, security, morale issues or conflicts of interest may exist due to a family member relationship. The Research Foundation further believes this policy will help to ensure no Research Foundation employee will be permitted to directly supervise, evaluate, appraise, assess, promote or discipline his or her relative(s).

The Research Foundation reserves the right to determine that other relationships not specifically covered by this policy represent potential conflicts of interest as well.

For more detailed information about this policy, please refer to the entire policy.

EMPLOYEE PROTECTION ("WHISTLEBLOWER") POLICY SUMMARY

To support the Research Foundation's goal of legal compliance and transparency in all phases of its operations, the Research Foundation believes that encouraging and enabling employees to raise issues and concerns in a productive and constructive manner using internal redress mechanisms, while also protecting whistleblowers from retaliation, benefits the Research Foundation. Providing the Research Foundation a timely opportunity to learn of and address allegations of unlawful or unethical practices directly from its employees rather than from the media, law enforcement, or a regulatory agency significantly benefits the Research Foundation and increases transparency of its operations.

If any employee of the Research Foundation reasonably believes that some policy, practice, process, or activity of the Research Foundation is in violation of a law, rule, regulation mandated pursuant to law, violation of a clear mandate or public policy concerning the health, safety, welfare, or protection of the environment, or is unethical, the employee is encouraged to submit a complaint, in writing, to an Ombudsperson, who will conduct the investigation and report findings and conclusions to the President of the Board of Directors of the Research Foundation. The Ombudsperson is independent of Research Foundation management, including the Research Foundation's Executive Director, and will conduct or will direct investigations in a manner not geared towards reaching a conclusion favored by management.

An employee who wishes to make a complaint can download the Research Foundation's Investigative Complaint form from its website, or can obtain a hard copy of such form from the office of the Executive Director. The employee must fill the form out in as much detail as possible, and can mail or deliver the completed form to the Ombudsperson, who will report findings directly to the Board of Directors.

The employee is directed to use the following heading for mailing their completed form: Roger Mason, Esq. as SJSU Research Foundation Ombudsperson, Sweeney, Mason, Wilson and Bosomworth, 983 University Avenue, Suite 104 C, Los Gatos, CA 95032 – 7637, e-mail to RMason@smwb.com. Investigations will be undertaken and completed in as prompt and as confidential a manner as possible, under the direction of the Ombudsperson. Written statements will be obtained as a matter of course from those persons involved either as participants or as witnesses. The Ombudsperson or their designated

representative has the authority to fully investigate all aspects of the complaint and to recommend appropriate corrective actions identified by the Ombudsperson and remedy problems identified during the course of the investigation. Upon completion of the investigation, the Ombudsperson or their designated representative will contact the concerned employee(s) to apprise them of whether or not the investigation results substantiated the complaint(s) made. If the complaint is substantiated, the Ombudsperson or designated representative will also be prepared to assure the concerned employee that corrective actions were implemented to remedy identified issues. The concerned employee will not receive specific information regarding the investigation or the results due to privacy and other considerations.

Research Foundation policy strictly prohibits all forms of retaliation against an employee who has, in good faith, made a protest or raised a complaint against a policy, practice, process, or activity of the Research Foundation or regarding another individual or entity with whom the Research Foundation has a business or professional relationship, on the basis of their reasonable belief that the practice is in violation of law, or of a clear mandate of public policy.

Nothing in this section is designed to limit or discourage an employee's rights to report complaints to outside agencies.

INSPECTIONS AND SEARCHES POLICY SUMMARY

The Research Foundation promotes and maintains a workplace that is free of illegal drugs, alcohol, and other harmful materials, which is vital to the health and safety of its employees and to the success of its business. The Research Foundation also prohibits unauthorized access or removal of property, equipment, information, records, documents, and files.

The Research Foundation has established a policy concerning inspections and searches on its premises which applies to all Research Foundation employees, including third party agency employees and independent contractors. Per the Research Foundation's policy, routine searches or inspections for company property may include your desk, work area, credenzas, file cabinets, personal files, lockers, lunch packs, packages, purses, briefcases, baggage, and backpacks, and company vehicles or personal vehicles parked on company premises. The Research Foundation may also routinely search and inspect your computer files, voice mail, electronic mail or similar places where company property or company related information can be stored or kept, whether or not these places are locked or protected by access codes and/or passwords. The Research Foundation reserves the right to override passwords and open locked property as it deems necessary or appropriate.

Since a routine search for company property might result in discovering or uncovering personal possessions, you are strongly encouraged to refrain from bringing into the workplace any item of personal property that you do not wish to potentially reveal to the Research Foundation.

E-VERIFY POLICY SUMMARY

The Research Foundation is an E-Verify employer. U.S. law requires companies to employ only individuals who may legally work in the United States—either U.S. citizens, or foreign citizens—who have the necessary authorization. This diverse workforce contributes greatly to the vibrancy and strength of our economy, but that same strength also attracts unauthorized employment. A presidential executive order and subsequent Federal Acquisition Regulation (FAR) rule required federal contractors to use E-Verify to electronically verify the employment eligibility of employees working under covered federal contracts. The order and the rule reinforce Federal Government policy that the Federal Government does business only with organizations that have a legal workforce. Covered federal contractors are required to use the E-Verify system to electronically verify the employment eligibility of all new hires at all hiring sites, as well as to verify current employees who will directly perform work under a federal contract, with narrow exceptions. The rule also requires covered contractors to "flow down" these obligations to certain subcontractors, who will then likewise become subject to the E-Verify requirements. The SJSU Research Foundation determined that it is a "contractor" within the meaning of FAR regulations.

The Research Foundation, in compliance with federal rules, uses the E-Verify system to verify the employment eligibility of all new and rehired employees, regardless of their location and worksite within the U.S., and irrespective of their source of funding.

For more detailed information about this policy, please refer to the entire policy.

COMPLAINT PROCEDURE

In the workplace, from time to time, there are differences of opinion, miscommunications, and misunderstandings. These difficulties may occur between employees, and sometimes between management and one or more employees. Employees and managers are encouraged to resolve differences at the earliest possible date.

All employees are free to use and are encouraged to seek out our "open doors" in making management aware

of your concerns. Human Resources is also available to assist employees in addressing concerns. As a matter of courtesy, we ask that employees first discuss issues with their immediate area manager before elevating concerns or seek out other members of management.

Any unresolved difference of opinion, miscommunication or misunderstanding which impacts the working environment or the job performance of an employee may ultimately have to be resolved by a manager having supervisory responsibility over the employee(s) involved. Unless the resolution involves discipline imposed for unlawful or improper conduct on the part of the employee(s), those affected but who disagree with the decision may follow the procedures outlined in the Open Door philosophy.

While we believe that this Open Door philosophy can benefit both the Research Foundation and its employees, we also know and understand that not every problem can be resolved to everyone's satisfaction. However, we encourage each employee to take advantage of this philosophy without fear of retaliation.

Settlement of Disputes

The Research Foundation understands that conflicts do not benefit either the Research Foundation or the employee. Employees and managers are encouraged to resolve differences at the earliest possible date.

The following is a list of individuals who should be contacted for addressing and resolving individual disputes on an informal basis:

- the department manager, as appropriate,
- the area or functional Director or designee,
- the Director of Human Resources or designee,
- the Executive Director of the Research Foundation, or his or her designee

For a complete copy of the Complaint Procedure, please contact your HR representative.

Disciplinary Procedure

Disciplinary and Corrective Action

As a general statement, the Research Foundation's purpose in establishing its policies, rules, and procedures and enforcing the policies, rules and procedures by disciplining an employee or taking other appropriate corrective action for violations is to:

- Ensure that every employee, client, or visitor to the Research Foundation is not subjected to an unsafe, discourteous, or unprofessional environment.
- Protect the Research Foundation, other employees, its clients, and those who may, from time to time, visit the Research Foundation from the misconduct of its employees.
- Assist the employee in bringing their conduct in line with the Research Foundation's expectations, as described in this Handbook.

NOTE: All Research Foundation employees assigned to work in non-Central office locations, including but not limited to State-owned facilities (examples: MLML; NASA AMES) are subject to all site owner work rules and regulations, in addition to Research Foundation rules and regulations.

Progressive Discipline

The Research Foundation recognizes the following types of disciplinary or corrective action: Counseling; first warning; final warning, with or without disciplinary suspension, and with or without pay; demotion; transfer; and involuntary termination of employment.

Depending upon the nature, extent, and severity of the violation as well as the employee's employment longevity and disciplinary history with the Research Foundation, the Research Foundation may choose, at its sole discretion, to follow the principles of progressive discipline, as outlined. Please note: the Research Foundation always reserves the right to take what it deems to be appropriate action, up to and including discharge, of an employee for a single violation of a single policy, rule, or procedure of the Research Foundation.

The Research Foundation's use of "progressive discipline" is, and shall continue to be, voluntary, and shall not serve to alter the "At Will Employment" relationship between the Research Foundation and its employees.

CONDUCT THAT NORMALLY WARRANTS SOME LEVEL OF CORRECTIVE ACTION

The following is a partial list of conduct that is at all times prohibited, and any violation may result in appropriate levels of corrective action, up to and including termination, even on a first occurrence, depending upon the circumstances and the severity of the violation:

a) Threatening, intimidating, or harassing any person by visual, oral, or physical conduct

b) Falsification of any company record, including time sheets

c) Gross insubordination, willful refusal of a direct instruction

d) Misuse or unauthorized use, disclosure or removal from the premises of confidential or proprietary information of the Research Foundation to any unauthorized person, business, or entity whether direct or indirect, or the removal of any property or document (original or duplicate), or thing, belonging to the Research

Foundation without the prior approval of the Director of Human Resources or designee

e) Unauthorized possession of firearms, explosives, or weapons anywhere on Research Foundation premises, including its parking lots, or off the premises while performing duties for the Research Foundation

f) Possessing, using, or being under the influence of any intoxicant or controlled substance, includ ing marijuana, anywhere on Research Foundation premises, including its parking lots, or off the premises while performing duties for the Research Foundation

g) Theft, or misappropriation of property belonging to another person or entity

h) Accessing objectionable websites via use of company computers and/or use of company internet system and/or accessing and/or downloading content from objectionable websites

i) Downloading any material from objectionable websites to company owned computers or printers or via use of company internet system

j) Abuse/misuse of company time on personal endeavors

k) Willful or reckless abuse, misuse, damage, or destruction of any property belonging to the Research Foundation or any of its employees, customers, and/or visitors

l) Consuming or being under the influence of alcohol while on the job or on Research Foundation premises, including its parking lots (except at a company- sponsored and authorized social event, at which moderate alcohol use, short of impairment, is permitted)

m) Immoral, indecent, or disorderly conduct occurring on the Research Foundation's premises, or off the premises while performing duties for the Research Foundation

n) Any conduct on Research Foundation premises which is intended by the employee to disrupt the business of the Research Foundation or of its customers, clients, or visitors, or which prevents or interferes with another employee's ability to perform their duties for the Research Foundation, whether or not the attempt was successful

o) Entering into and/or maintaining any business, financial, or secondary employment relationship which competes, directly or indirectly, with the Research Foundation or any of its clients, or engaging in any activity which either creates an actual conflict of interest, or the appearance of a conflict of interest between that activity and your employment with the Research Foundation.

p) Being convicted of any crime, which, if committed in the State where employee is assigned to work, would be considered a felony, or of a misdemeanor involving moral turpitude; insubordinate conduct, including but not limited to willful refusal to follow a lawful and proper directive or order of a manager

q) Soliciting any gift or favor from a vendor or client, or from any person or entity with whom/which the Research Foundation conducts business

r) Any willful or reckless act or omission, although not specifically described in this policy, which the Research Foundation believes is injurious to the Research Foundation and/or its reputation, or which results, or could potentially result, in any financial or reputation loss or damage to the Research Foundation.

Safety: A Key Priority & Injury Injury and Illness Prevention

Safety is the responsibility of each employee and is a key priority at the Research Foundation. It is important that each employee contribute to the safe work practices of the Research Foundation. Occupational injuries are avoidable, and each of us is charged with maintaining an accident and injury free workplace. Safety is a condition of employment and each employee must assume personal responsibility for themselves and others.

Occupational injuries or illnesses are covered by the Research Foundation's Workers' Compensation Insurance Policy through CSURMA/AORMA, and is provided at no cost to the employee. The Workers' Compensation program is currently administered by Sedgwick CMS.

Consistent with applicable state law, failure to report an injury within a reasonable period of time could jeopardize your claim. We request your assistance in alerting management to any condition that could lead or contribute to an employee injury or accident.

All accidents, injuries, potential safety hazards must be reported immediately to your manager or to the Human Resources department. If you or another employee is injured seriously, immediately contact appropriate emergency response agencies, if needed. An "Employee's Claim for Worker's Compensation Benefits Form" must also be completed in all cases in which an injury requiring medical attention has occurred.

Even if an injury does not require immediate medical attention, a "Supervisor and Employee Report of Accident Form" should still be completed in case medical treatment is later needed and to insure that any existing safety hazards are corrected.

In accordance to Cal-OSHA T8 CCR §320, the Research Foundation maintains its own Injury and Illness Prevention program (IIPP). The Research Foundations IIPP committee is comprised of leadership at each of its respective locations and meets quarertly to address issues related to employee safety, provide timely communcations and updates about safety concerns and fulfil reporting oglibations. The SJSURF IIPP is located on the SJSU Research Foundtations website at the link below: SJSURF Injury and Illness Prevention Program

RECREATIONAL ACTIVITIES AND PROGRAMS

Please note: the Research Foundation or its insurer will not be liable for payment of workers' compensation benefits for any injury that arises out of an employee's voluntary participation in any off-duty recreational, social, or athletic activity that is not part of the employee's work-related duties.

Attire

GENERAL GUIDELINES

Work attire should complement an environment that reflects an efficient, orderly, and professionally operated organization. This policy is intended to define appropriate "business attire" during normal business operations and "casual business attire" on Fridays.

The key point to sustaining an appropriate causal business attire program is the use of common sense and good judgment, and applying a dress practice that the Research Foundation deems conducive to our business environment.

Because all casual clothing is not suitable for the office, these guidelines will help you determine what is appropriate to wear to work.

Generally, appropriate casual business attire is required. Clothing that works well for the beach, yard work, dance clubs, exercise sessions, and sports contests may not be appropriate for a professional yet casual appearance at work. Clothing that is revealing is not appropriate business attire. Additionally, torn, dirty, or frayed clothing is generally not appropriate.

All employees are encouraged to actively practice good hygiene, which includes the following:

- Clean and well-groomed hair.
- Use of deodorant.
- No overwhelming perfume or cologne or strong body odors.

ENFORCEMENT

Department Directors and Managers are responsible for monitoring and enforcing attire guidelines. Attire guidelines will be administered according to the following:

If questionable attire is worn in the office, the respective department supervisor or manager will privately discuss with the employee, to advise and counsel the employee regarding the inappropriateness of the attire.

If an obvious violation occurs, the department supervisor or manager will hold a private discussion with the employee and may, depending upon the circumstances, ask the employee to go home and change his or her attire.

Repeated violations may result in disciplinary action as appropriate, with resultant consequences, up to and including termination of employment.

Compensation and Time Accounting

WORK SCHEDULES

The Research Foundation's normal business hours are 8:00 a.m. through 5:00 p.m. Monday through Friday. The Research Foundation's normal work week begins at 12:01 a.m. on Sunday and ends at midnight the following Saturday. All employees are expected to be at their desks or workstations at the start of their scheduled shifts, ready to work.

The basic work day for full-time employees is eight hours, exclusive of the meal period, normally beginning Monday and ending Friday, which may vary within functional areas and summer work hours. Various factors, such as workloads, staffing needs and operational demands may require variations in an employee's start and quit times, total hours worked each day or each week and days worked each week. The Research Foundation reserves the right to assign employees to job hours other than their usual assignments when required and, in addition, may require employees to work overtime, depending upon the workload and urgency of the work.

Your manager will assign your individual work schedule. Exchanging work schedules with other employees is discouraged. However, if you need to exchange schedules, you must first notify your supervisor, who may authorize an exchange if possible. Work schedule exchanges will not be approved for the mere convenience of an employee or if the exchange interferes with normal operations or results in excessive overtime.

PUNCTUALITY AND ATTENDANCE

As an employee, you are expected to be punctual and regular in your attendance. Excessive tardiness or absence causes problems for your manager, for your fellow employees and for your department.

The Research Foundation considers regular attendance to be an essential requirement of all jobs at the Research Foundation. Employees are expected to report to work for each of their scheduled shifts, on time, prepared to begin their work. Employees also are expected to remain at work for their entire work schedule, except for break or meal periods or when required to leave on authorized company business. Late arrivals, early departures, or other unanticipated and unapproved absences from scheduled hours are disruptive and must be avoided.

If an employee is unable to report for work as scheduled, or if the employee expects to arrive late to their appointed

shift, the employee must call their supervisor a minimum of 30 minutes before the beginning of their scheduled shift. In all cases of absence or tardiness, employees are expected to provide their supervisor with a reasonable explanation. Excessive absenteeism or tardiness will not be tolerated. Appropriate corrective action will be taken. The Research Foundation generally defines excessive unplanned absenteeism as more than one eight hour absence within a thirty-day period, or equivalent, except to the extent that such absences are protected by legally mandated paid sick leave.

NOTE: An employee who fails to report in to work for three (3) consecutive work shifts and who also fails to properly report their absence to their manager for those three consecutive work shifts is deemed to have abandoned his or her job. The employee will be considered to have voluntarily terminated his or her employment.

TIMEKEEPING REQUIREMENTS

The Research Foundation has implemented use of an online portal, which allows employees and supervisors to fill out and approve timesheets and submit them electronically. All exempt and non-exempt (hourly) employees submit their timesheets electronically for each semi-monthly pay period. Please review the Payroll calendar for specific pay dates and payroll deadlines. Non-exempt employees must record their own time at the start and at the end of each work period, including before and after the lunch break. All hours worked must be reported whether or not formally approved.

For Non-Exempt employees, rest breaks are paid time off and need not be recorded. Meal periods are not paid time, and must be accurately taken and recorded. Non-exempt employees must also record their time whenever they leave the building for any reason other than Research Foundation business.

All exempt level employees must report their time on an "exception" basis only, e.g. report unpaid time off, or vacation or sick leave hours, and holiday hours. This is all done through the online portal.

Electronic timesheets are legal documents. When employees ceritfy their hours worked in the Employee Online portal, they are affirming that the hours and times noted are accurate and correct. Any errors on the electronic timecard submission must be immediately reported to the employee's manager for correction. Non-exempt level employees are expected to utilize the "clock in and out" software feature.

SEMI-MONTHLY PAYMENT SCHEDULE

The Research Foundation follows a semi-monthly pay schedule (24 pay periods per year). Work performed from day 1 through and including day 15, including all overtime hours, is normally paid on or before the 26th day of the month. Work performed from day 16 through and including the last day of the month, including all overtime hours, is normally paid on or before the 10th day of the following month. Dates may be adjusted if the pay date falls on a weekend or holiday. Employees are encouraged to refer to the pay date calendar issued and posted each year.

PAYMENT OF WAGES

Employees are paid on the 10th and 26th of every month dependent upon whether or not the pay date falls on a weekend. If the pay date falls on a weekend, the employee will be paid on the Friday before..If you observe an error on your check, please report it immediately to your manager or the SJSURF payroll team for correction. All employees will receive a detailed pay statement of their semi-monthly earnings and their deductions which is available online. Their earnings will have been directly deposited to their designated checking and/or savings account(s) each semi-monthly pay date.

AUTOMATIC (OR DIRECT) DEPOSIT

The Research Foundation offers automatic payroll deposit to all employees. Employees can request to start or stop automatic payroll deposit at any time through Workday Payment Elections. New hires/rehires must complete the direct deposit information during onboarding. Employees who do not wish to provide their own account number will be issued a US Bank Focus pay card.

There are no charges for this service. Employees are encouraged to carefully monitor their payroll deposit statements, just as they would their regular paychecks. A ll employees have access to a detailed statement of their semi-monthly earnings and deductions through the Employee Online system.

To make changes to their direct deposit information, employeescan visit the self-service portal.

REQUESTS FORPAYMENT IN ADVANCE OF NORMAL PAY DATE

Pay advances are granted only in cases of emergency or personal hardship. Advance pay is only granted for hours already worked. An employee may access this benefit no more than one time per calendar year. The employee must first present a written advance pay request to their manager, along with appropriate documentation. If the

manager approves, the employee then submits his or her request in writing to the Director of Human Resources or designee. The employee may be requested to provide documentation evidencing the nature of the emergency or personal hardship.

As noted, a request for advance of wages on hours not yet worked will not be approved or made under any circumstances. A pay advance will also accrue "supplemental wages" level taxes. A pay advance will not be approved at the same time that an employee has an active wage garnishment.

MEAL AND REST BREAK PERIODS (NON-EXEMPT EMPLOYEES)

All non-exempt employees are entitled to periodic rest break periods during their workday within a set work schedule. All rest breaks and meal periods must be taken away from the regular work area. An employee may leave the premises for their unpaid meal periods.

Rest break periods are paid time off. You will be paid for all such break periods and you will not clock out. Your manager will generally advise you of the time of your breaks. You are expected to promptly take your rest break and are also expected to resume work promptly following the end of any rest break.

While applicable law provides for one ten minute break, Research Foundation's policy exceeds applicable law by providing for one paid 15 minute rest break for every four (4) hours you work (or major fraction thereof). As a general rule, and insofar as practicable, the rest period should be in the middle of the four-hour work period.

BREAK PERIODS AND HOURS WORKED

The Table 1 summarizes the number of rest break periods allowed after a certain number of hours worked has been achieved.

Meal Periods and Hours Worked

Unlike rest periods, meal periods are unpaid periods of time. They must be at least thirty (30) minutes long, and may be as long as sixty (60) minutes, at the Research Foundation's discretion. During a designated meal period, an employee must be free to come and go at their own discretion, including being able to leave the premises if they so desire.

A legally compliant meal period is one where, for duration of that meal period, the employee is permitted a reasonable opportunity to take an uninterrupted 30-minute break; the employee is relieved of all work duties; control over the employee's activities is relinquished; and the employee is not impeded or discouraged from taking their full, uninterrupted meal period.

An employee is entitled to their first meal rest period no later than 4 hours and 59 minutes into their shift, For example, if an employee begins an eight-hour shift at 8 a.m., they must start the meal period no later than 12:59 p.m. When applicable, the second meal period should begin no later than the end of the employee's 10th hour of work. An employee must take their meal break by the fourth hour, but no later than the end of the fifth hour. Employee will be eligible for meal penalty of one hour if they do not take a lunch break. Employee may be disciplined for repeatedly missing their required lunch breaks.

If an employee is unable to take a required meal break, or takes it after the end of the fifth hour of work, the employee is to notify his or her manager.

All non-exempt or hourly employees who believe that they were not provided either a meal break or rest period to which they are entitled, must notify Human Resources immediately. Concerns will be considered, investigated, and resolved.

PAYMENT OF OVERTIME FOR NON-EXEMPT EMPLOYEES

Employees may be required to work overtime as necessary. Only actual hours worked in a given workday or work week can apply in calculating overtime. The Research Foundation will attempt to distribute overtime evenly and accommodate individual schedules. All overtime work must have been previously authorized by a manager. Non-authorized overtime worked will be paid and then will be addressed as a performance issue.

The Research Foundation provides compensation for all overtime hours worked by non-exempt employees in accordance with state and federal law as follows:

A Research Foundation work day begins at each employee's "normal" start time, and ends 24 hours later. It begins again at the same time each work day.

The Research Foundation's work week begins at 12:01 a.m. Sunday and ends at midnight the following Saturday.

Straight Time Payment of Hours

Paid at regular hourly rate of pay.

Hours 1 – 8 worked in a single work day; OR

Hours 1 – 40 worked in a single work week

Overtime Payments

Paid at one and one half times the employee's regular rate of pay.

Hours worked in excess of 40 in one single work week; OR

Hours 9 – 12 worked in a single work day; OR

Hours 1 – 8 worked on the 7th consecutive work day

Double Time Payments

Paid at two times the employee's regular rate of pay.

Hours 13 – 24 worked in a single work day; OR

Hours 9 – 24 worked on the 7th consecutive work day in a work week

Overtime calculation is strictly based on hours worked, not on hours paid. Hours that are paid for vacations, holidays, sick leave, etc., which are not actually worked by the employee are not considered in the calculation of overtime pay.

If a regular benefited exempt or non-exempt employee is asked to work on a designated Foundation holiday, the employee is entitled to receive holiday pay for the holiday itself, and in addition, is entitled to be paid at appropriate levels according to number of hours worked, for all hours worked, including overtime hours. Again, payment for holiday hours not worked will not be considered in computing overtime payments, if any.

All non-exempt or hourly employees who believe that they did not receive the pay they were entitled to, such as overtime, must notify Human Resources immediately. Concerns will be considered, investigated, and resolved.

TABLE 1: PAID BREAK PER HOURS WORKED

ACTUAL WORK HOURS	NO. OF PAID 15 MIN REST BREAKS
0 to 3 hours 29 minutes	0
3 hours to 5 hours 59 minutes	1
6 hours through and including 10 hours	2
10 hours 1 minute to 13 hours 59 minutes	3
14 hours through and including 18 hours	4

TABLE 2: MEAL PERIODS AND HOURS WORKED

DURATION OF SHIFT	NO MEAL BREAKS	ONE UNPAID 30 MINUTE MEAL BREAK	TWO UNPAID 30 MINUTE MEAL BREAKS
0 to 5 hours	X		
5 hours through and including 5 hours 59 minutes		X (Meal break may be mutally waived.)	
6 hours through and including 9 hours 59 minutes		X	
10 hours through and including 11 hours 59 minute			X (First meal break MUST be taken. Second meal break may be mutally waived.)
12 hours through and including 17 hours 59 minute			X (Both meal break MUST be taken. No waiver is allowed.)

Other Benefits

PAID SICK LEAVE

The Research Foundation offers 40 hours of paid sick leave to its non benefited employees each calendar year. This balance does not roll over but is renewed each calendar year. Sick leave is a company-sponsored benefit that provides employees with a cushion for incapacitation due to personal or dependent short term illness or injury. Sick leave may be used by employees to tend to or care their dependent(s). close family, e.g. parent or spouse or a desginated person. Designated Person is defined as - related by blood or equivalent family relationship. Employees can select one designated person per year. Sick leave is not properly used for issues other than medical issues. For example, sick leave is not appropriately applied to stay home to wait for a service provider.

Employees who are unable to work due to unplanned personal or dependent illness or injury are expected to contact their manager as soon as possible, but in no event, no later than 30 minutes before the start of their normal start time. In a case involving a health or other related appointment, the employee must make appropriate arrangements with appropriate advance notification to their manager. If you are absent for more than three work days due to illness, medical evidence of your illness and/or medical certification of your fitness to return to work satisfactory to the Research Foundation may be required before your request for sick pay is honored, based upon the circumstances. New employees must wait until the 90th calendar day of employment to be entitled to use the sick leave. Unused sick hours are not paid at the time of the separation.

Bereavement Leave

When a death occurs in the immediate family of an employee, the employee is eligible to receive five (5) days of unpaid Bereavement Leave. The employee may use their their accrued sick leave for missed work days due to bereavment. Additional time off requested and approved by the employee's manager, as personal leave without pay.

For the purposes of this section, "immediate family" is defined as the employee's spouse, registered domestic partner, parents, persons or guardians "in loco parentis;" siblings, child, mother in law, father in law, grandparents, and grandchildren.

Bereavement leave time for other than "immediate family" must be approved as as personal leave without pay. The employee is required to notify and obtain approval from their manager or the Human Resources department if the Manager is not available.

Workers' Compensation Disability Leave

The Research Foundation, in accordance with state law, pro-

- Medical care;
- Cash benefits, tax free, to replace lost wages; and
- Assistance to help qualified injured employees re turn to suitable employment.

To ensure that you receive any workers' compensation benefits to which you may be entitled:

- You must immediately report any work-related injury to your manager and/or to Human Resources directly
- You will be directed to appropriate medical treatment and follow-up care by the Research Foundation's designee if it is required.
- You must complete a written Employee's Claim for Workers Compensation Benefits (DWC Form 1) and return it to the Director of Human Resources or designee; and
- You must provide the Research Foundation with a certification from your health care provider regarding the need for workers' compensation disability leave, as well as your eventual ability to re- turn to work from the leave.

PREGNANCY DISABILITY LEAVE (PDL)

The Research Foundation will grant PDL to a woman who is "disabled by pregnancy." A woman's health care provider ultimately decides if she is disabled by pregnancy.

"Disabled by pregnancy" includes, but is not limited to, time when a woman suffers from severe morning sickness or needs time off for:

- Prenatal or postnatal care
- Bed rest
- Gestational diabetes
- Pregnancy-induced hypertension
- Preeclampsia
- Postpartum depression
- Childbirth
- Loss or end of pregnancy
- Recovery from loss or end of pregnancy

A woman is "affected by pregnancy" if—because ofpregnancy, childbirth or related medical condition(or a condition related to pregnancy, childbirth or a related medical condition)—it is medically advisable for an employee to transfer or otherwise be reasonably accommodated by her employer.

The CFRA does not consider pregnancy a serious health condition and does not allow an employee to take family leave for pregnancy-related disability. Employees are eligible for PDL as long as they are employed

California Family Rights Act and Family Medical Leave Act

The Research Foundation will grant family and medical leave in accordance with the requirements of applicable state (CFRA) and federal (FMLA) law in effect at the time the leave is granted. No greater or lesser leave benefits will be granted than those set forth in such state or federal laws. In general terms, FMLA and CFRA contain similar provisions, and they run concurrently for all purposes other than:

- Disabilities due to pregnancy or pregnancy-related conditions (FMLA-only)
- Leave to care for a registered domestic partner, grandparents, grandchildren, siblings, adult children, parents-in-law or someone with a family like connection to the "employees designated" person.(CFRA-only)
- Leave for a qualifying exigency related to a family member's military service (FMLA-only)
- Leave to care for an ill or injured service member (FMLA-only)

NOTE: The Research Foundation reserves the right to replace a qualified employee on unpaid CFRA and/or FMLA leave, even without the approval of the employee, should the Research Foundation conclude, at its sole discretion, that it is in its best interests to do so, or in the best interests of the employee.

Please contact your manager as soon as you become aware of the need for a family or medical leave.

The following is a summary of the relevant provisions. A more detailed statement of leave requirements can be provided when a leave is requested.

Types of Leave

An eligible employee may take leave under CFRA / FMLA for one or more of the following reasons:

- Baby Bonding—The birth of a child to an employee, or placement of a child with an employee in connection with the adoption or foster care of the child within one year of birth or adoption of the child.
- Family Care—Care of a child, parent, or spouse with a serious health condition.
    - Child—A biological, adopted, or foster son or daughter, a stepson or stepdaughter, a legal ward, a son or daughter of a domestic partner, or the person to whom the employee stands in loco parentis.
    - Parent—A biological, foster, or adoptive parent, a stepparent, a legal guardian, or other person who stood in loco parentis to the employee when the

employee was a child.

- Spouse—A partner in marriage. For CFRA only, California law includes registered domestic partners in the definition of spouse. For FMLA, this does not include unmarried persons living together, but does include persons who are legally married who do not live together.
- Leave to care for grandparents, grandchildren, siblings, adult children and parents-in-law. These new categories of family members are not included in the FMLA and thus CFRA would run independently.
- Desginated Person Leave - Leave to care for a member of ones blood family or equivalent. CFRA Only

- Medical Leave—This means an employee's own serious health condition that makes the employee either unable to work at all, or unable to perform one or more essential functions of his/her job.
- Leave for a Qualifying Exigency—This is leave due to any qualifying exigency arising out of the fact that the employee's spouse, child, or parent is a covered military member on active duty (or has been notified of an impending call or order to active duty) in support of a contingency military operation.
- Covered Service Members—Leave is provided to care for a covered service member with a serious injury or illness if the employee is the spouse, child, parent or next of kin of the service member.
- Reproductive Loss Leave — Leave is provided to eligible employees following a reproductive loss event, including failed adoption, surrogacy, or assisted reproduction. Employees are provided up to 5 days of leave to be taken within 3 months of the event , not to exceed 20 total days within a 12 month period.

Length of Leave Available

Eligible employees may receive up to a total of twelve (12) work weeks of leave during a 12 month period. A 12-month period begins on the date of an employee's first use of federal Family or Medical Leave. Successive 12-month periods commence on the date of an employee's first use of such leave after the preceding 12-month period has ended. An eligible employee may also take up to 26 work weeks of military leave during a "single 12-month period" to care for a covered service member with a serious injury or illness, when the employee is the spouse, son, daughter, parent, or next of kin of the service member. The "single 12-month period" for military caregiver leave is different from the 12-month period used for other FMLA leave reasons.

Notice and Certification

Employees seeking to use CFRA and/or FMLA leave are required to provide:

- Thirty-day advance notice when the need for the leave is foreseeable; medical certification from a health-care provider (both prior to the leave and prior to reinstatement);
- Periodic re-certification; and
- Periodic reports during the leave.

When leave is needed to care for an immediate family member and is for planned medical treatment, the employee must try to schedule treatment so as not to unduly disrupt the Research Foundation's operation.

Employee Eligibility

To be eligible for family or medical leave benefits, an employee must: (a) have worked for the Research Foundation for a total of at least 12 months (although in general, the time does not need to be consecutive), and (b) have worked at least 1,250 hours over the previous 12 months. Most Research Foundation employees work at a location where at least 50 employees are employed by the Research Foundation within 75 miles.

State Disability Insurance (SDI)

The California State Disability Insurance (SDI) program provides short-term Disability Insurance (SDI) and Paid Family Leave (PFL) wage replacement benefits to eligible workers who need time off work.

SDI provides partial wage replacement benefits to eligible California workers who are unable to work due to a non-work-related illness, injury, or pregnancy. SDI contributions are paid by California workers through employee payroll deductions.

SDI does not provide job protection, only monetary benefits; however, your job may be protected through other federal or state laws such as the Family and Medical Leave Act (FMLA) or the California Family Rights Act (CFRA)

If you are eligible, you can receive about 60 to 70 percent (depending on income) of wages earned 5 to 18 months before your claim start date. You can be paid benefits for a maximum of 52 weeks.

To receive SDI, you must:

- File a claim using SDI Online or by mail.
- Complete a seven-day waiting period.During this period an employee is able to use vacation or sick leave
- Have earned at least $300 in wages that are subject to SDI deductions ("CASDI" on your paystubs)during the

Paid Family Leave (PFL)

PFL is a state-sponsored insurance program within the State Disability Insurance (SDI) program.

Employees receive partial wage replacement for up to eight weeks in any twelve-month period while on leave from work to care for a seriously ill or injured family member or to bond with a minor child. Unlike SDI, PFL no longer has an approved seven day waiting period.

Leave for bonding with a child must occur within one year of the birth of a child or placement of a child in the home for foster care or adoption.

The PFL program is funded entirely through employee contributions to the SDI fund.

The IRS has ruled that benefits received under California's PFL program are taxable for federal income tax purposes. The benefits, however, are not subject to California income tax.

Benefits are payable for any day in which the employee is unable to perform his or her regular customary work covered by the program definition. The employee is not eligible for benefits on any day that another family member is able and available for the same period of time that the employee is providing the required care.

403(b) RETIREMENT PLAN

The SJSU Research Foundation Retirement Plan has been adopted to provide you with the opportunity to save for retirement on a tax advantaged basis. This is a 403(b) retirement plan administered by Teachers Insurance Annuity of America, or TIAA. The following types of contributions allowed under this Plan:

- Employee elective deferrals
- Employer non-elective contributions
- Employee rollover contributions

Employee Elective Deferrals

Employees may elect to contribute a portion of their pay to the Plan through payroll deductions as either pre-tax or Roth contributions. Pre-tax contributions reduce current taxable income, but taxes are due when funds are withdrawn. Roth contributions are taxed when contributed, but qualified withdrawals, including earnings, may be tax-free.

Deferral elections become effective as soon as administratively feasible after submission and remain in effect until changed or canceled.

Contribution limits are set by IRS and may change annually. Employees age 50 or older may make additional catch-up contributions. Employees participating in multiple retirement plans are responsible for ensuring they do not exceed annual IRS contribution limits. Excess contributions must generally be corrected by the deadlines established by the Plan Administrator and the IRS. See the SJSURF Summary Plan Description(SPD) for more details, available on the The REsearch Foundation website.

Rollover Contributions

All eligible employees may roll over contributed funds from a previous employer's or certain individual retirement accounts at any time. To initiate this transfer of funds the employee must contact their previous retirement account plan administrator.

Enrollment

Eligible employees will be notified via Workday about their eligibility with enrollment instructions. If employee does not enroll in TIAA and choose their investment options, employees will be auto-enrolled However, once enrolled, employees can change their investment options from the Default QDIA (Qualified Default Investment Alternative) anytime by logging into their TIAA account or by contacting TIAA. For more details about this plan refer to the Summary Plan Description (SPD) available on The Research Foundation website.

SJSU | RESEARCH FOUNDATION

One Washington Sq
San Jose, CA 95192-0139
Tel. +1 408 924-1400
Fax. +1 408 924-1499
researchfoundation@sjsu.edu