

LAUSD

Food Services Division

EMPLOYEE HANDBOOK





LAUSD

Food Services Division

Employee Handbook



“Nourishing Children to Achieve Excellence”



**FOOD SERVICES DIVISION EMPLOYEE HANDBOOK
ACKNOWLEDGMENT OF RECEIPT**

Please Print

LAST NAME

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FIRST NAME

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Employee Number: _____ **Position** _____

School Name: _____

Supervisor's Name: _____

- _____ I. District and Division Policies, Bulletins, and Reference Guides
- _____ II. General Rules of Conduct
- _____ III. Attendance Expectations
- _____ IV. Information Regarding Workers' Compensation
- _____ V. Leaves
- _____ VI. Employee Health Policy
- _____ VII. Safeguarding District Property
- _____ VIII. School Based Dress Code Policy, Safety Apparel and Personal Protective Equipment (PPE)
- _____ IX. Sanitation and Personal Hygiene
- _____ X. Business Work Attire- Central Office Employees

*I understand that I am responsible for reading, understanding, and adhering to **all policies and procedures whether they are included as a part of this handbook or is available online.** Failure to comply with any of the provisions can possibly lead to disciplinary action including immediate suspension pending dismissal from District service.*

Employee Signature: _____ **Date:** _____

Please print out a copy of the Acknowledgement form from the Café LA website and send the:

-Original Cover Sheet to: Personnel - Food Services Division

-Keep a copy in the Food Service Manager File and provide a copy to the Employee

Table of Contents

Abolition of Corporal Punishment.....	7
Acquisition and Usage of Wireless Voice and Data Devices	8
Act of Violence	8
Addendum: List of Classifications Driving Private Vehicles for District Business	71
Attendance Expectations.....	39
Excessive Absenteeism and Tardiness.....	44
Doctor Appointments (Routine & Preventive)	46
Kin-Care.....	44
Pattern of Excessive Absences	45
Personal Necessity	43
Procedure for Returning to Work After an Absence	41
Summer Work.....	46
Time Reporting/Signing In and Out	40
When Calling In Absent	41
Board of Education Resolution to Enforce the Respectful Treatment of All Persons.....	9
Board Rule 1266	9
Bullying and Hazing Policy	9
Business Work Attire- Central Office Employees.....	66
Cafeteria Management System (CMS) Directives.....	38
Cal/OSHA Log of Injuries and Illnesses	10
California Confidential Address Program	10
Certification of Absence Forms	11
Child Abuse Awareness Training and Resources.....	11
Child Abuse and Neglect Reporting Requirements	11
Civil Rights Requirements.....	12
Compliance with Title II of the Americans with Disabilities Act	13
Crisis Preparedness, Response and Recovery.....	14
Code of Conduct with Students	14
District Communications to Employees	15
Documentation for Employees Paid from Federal and State Categorical Programs	16
Drug, Alcohol and Tobacco-Free Workplace	16
Employees' Children and Visitors in the Workplace	17
Employee Code of Ethics.....	17
Employee Health Policy	56
Employee Inappropriate Conduct Allegation Policy and Procedure	18
Employee Union, Association, and Organizations, Solicitation and Sales of Merchandise,	

And Use of School Mail	19
Ethics Policy	17
Family and Medical Leave Act/California Family Rights Act Policy.....	19
Food Handler’s Health Certificate	57
Food Protection Manager Certification	38
Guidelines for Sales/Service of Non-School Meals Food/Beverages on Campus	20
Guidelines for Use of Privately Owned Vehicles for Authorized School District Business	20
Hate Motivated Incidents and Crimes.....	21
Incident System Tracking Accountability Report (ISTAR)	22
Injury and Illness Prevention Program Requirement.....	23
Lactation Accommodation for Employees	23
Legally Mandated Paid Sick Leave of Eligible Employees.....	23
Mandatory Posting of Regulatory Notices.....	24
Leaves	50
California Paid Parental Leave	54
Definition of Serious Health Condition	52
Duration of FMLA and CFRA.....	51
Eligibility Requirements	51
Family & Medical Leave Act (FMLA) & California Family Rights Act (CFRA).....	50
FMLA/CFRA Designation	53
Qualifying Events	52
New Certification of Absence Forms	24
New Time Reporting and Periodic Certification	37
Non-Discrimination Statement	24
Outside District Employment or Activities.....	25
Overtime Policy Classified Employees	25
Phones, Cell Phones, and other Electronics.....	25
Preventing Unauthorized Use of Food, Supplies and Equipment.....	58
Professional Standards Class Requirements	25
Recordkeeping/Documentation Requirements	37
Requests for Reference Information Letters of Recommendation	26
Responsible and Acceptable Use Policy (RAUP) for District Computer and Network Systems..	26
Safeguarding Food, Supplies and Equipment.....	57
Safeguarding District Keys	60
Sample of Employee Sanitation and Safety Requirements.....	63
Sanitation, Personal Hygiene, and Employee Dress Code	65
School Based Dress Code Policy	61

School Procedures During Inclement Weather Conditions	27
Sexual Harassment Policy	27
Social Media Policy for Employees and Associated Press	28
Threat Assessment and Management.....	28
Time Off for Voting.....	29
Time Reporting/Signing In and Out	40
Title IX Policy/Complaint Process	30
Transgender Students- Ensuring Equity and Non-Discrimination	30
Tuberculosis (TB) Test	31
Uniform Complaint Procedure (UCP)	32
Workplace Harassment Prevention Training	34
Workplace Violence, Bullying, and Threats.....	35
Work Schedules and Breaks	36
Worker’s Compensation Claim Reporting.....	32
Workers’ Compensation	46
AFSS/Food Production Manager/Central Office Supervisor/Manager Responsibilities...	49
Employee’s Responsibilities	46
Manager’s / Supervisor’s Responsibilities.....	47
Pre-Designation of Personal Physician	46
Reasonable Accommodation	47

Los Angeles Unified School District Food Services Division Employee Handbook

The Food Services Division (FSD) of the Los Angeles Unified School District (LAUSD) has the following job-related standards for **all** Food Services Division employees:

- I. District and Division Policies, Bulletins, and Reference Guides
- II. General Rules of Conduct
- III. Attendance Expectations
- IV. Information Regarding Workers' Compensation
- V. Leaves
- VI. Employee Health Policy
- VII. Safeguarding District Property
- VIII. School Based Dress Code Policy, Safety Apparel, and Personal Protective Equipment
- IX. Sanitation and Personal Hygiene
- X. Business Work Attire- Central Office Employees

These standards exist to protect the health and safety of Food Services Division employees, students, adult customers, and the District. All policies and procedures of the Los Angeles Unified School District (LAUSD) are not covered in this document. However, FSD employees are responsible for regularly checking *Inside LAUSD* for updates and new information and are expected to adhere to all District policies and procedures.

I. District and Division Policies

Many new and/or revised District Policies have been introduced since the publication of the last Food Services Division Employee Handbook. All District Policies apply to Food Services Division employees and are listed below in alphabetical order. If there is an omission the policy is still in effect and must be adhered to.

A. Abolition of Corporal Punishment

BUL 5747.2, Abolition of Corporal Punishment, dated February 13, 2017 restates and reaffirms the importance of the District's policy against the use of corporal punishment. The Board of Education determined that the use of corporal punishment as a disciplinary option at any grade level and with any student was abolished. Corporal discipline, in any form, is not to be used within this District. Under the law, "corporal punishment" is defined as willful infliction of, or willfully causing the infliction of, physical pain on a pupil. District employees are directed to not engage in the use of corporal punishment, which includes but is not limited to engaging in a mutual physical altercation, food deprivation, hitting, painful body postures, pinching, pushing, shaking, slapping, tripping, use of excessive exercise drills, or prevention of use of restrooms. District employees are reminded that corporal punishment may also result in child abuse and, as such, must be reported in accordance with mandatory child abuse reporting laws.

B. Acquisition and Usage of Wireless Voice and Data Devices

BUL 1612.10, Acquisition and Usage of Wireless Voice and Data Devices, dated July 24, 2017 replaces BUL 1612.9 dated January 22, 2015. The policy advises employees on the guidelines for acquisition and usage of wireless devices; including mobile telephones, smartphones, tablets, and broadband devices. Employees who have legitimate reasons for District issued cellular devices must provide written justification from their division administrator on the “*Request for Exception*” worksheet and submit it along with the “*Exception Transmittal*” form to the Chief Deputy Superintendent of Schools for approval (all cellular forms are available at <http://achieve.lausd.net/cellular>). All users must read and adhere to the District Policies described in the Bulletins listed below. Non-compliance may result in termination of services to cellular devices. Other related Bulletins are listed below:

- Responsible Use Policy (RUP) for District Computer and Network Systems BUL-999.13, dated March 5, 2019,
- Information Protection Policy BUL-1077.2, dated July 18, 2017,
- Security Standards for Networked Computer Systems Housing Confidential Information
- BUL-1553.0, dated February 7, 2005, Authorized Internet Service Provider (ISP) Connections to District Locations
- BUL-1759.0, dated June 30, 2005,
- Policy Regarding Internet Safety for Students
- BUL-5181.2, dated June 1, 2013, Social Media Policy for Employees and Associated Persons
- BUL-5688.2, dated July 31, 2018 ,
- LAUSD Firewall Policy BUL-K-24.0, dated November 4, 2002,

Employees must reimburse the District for non-business related services, unless authorized by an administrator. Non-business related services include, but are not limited to, games, billable personal calls, application purchases, and 4-1-1 calls. Reimbursement shall include all associated one-time and/or monthly charges, applicable taxes, and surcharges. No plan will be increased to meet personal usage needs. Violation of these rules may result in disconnection of service. Updates include information regarding document retention and the Superintendent’s Emergency Notification System.

C. Act of Violence

BUL 5047.1, Act of Violence, dated April 22, 2013, provides benefits beyond those allowed by workers’ compensation laws and the Education Code to employees who have been seriously injured as a result of extraordinary acts of aggression. If an injured employee is a member of a bargaining unit which has a collective bargaining agreement with Act of Violence language and his/her on-the-job injury

has been designated as an Act of Violence, that employee's full pay industrial illness leave will be extended beyond the 60 days provided in the Education Code. The length of the extension is determined by the applicable bargaining agreement.

An Act of Violence is a physical injury to an employee resulting in an intentional, violent, physical assault that occurred during the performance of assigned duties. The injury must be physical in nature and the assailant must have intended to do physical harm. Physical manifestations of emotional distress are not considered a physical injury.

D. Board of Education Resolution to Enforce the Respectful Treatment of All Persons

Board of Education Resolution To Enforce the Respectful Treatment Of All Persons is Attachment G of BUL 5798.0, Workplace Violence, Bullying, and Threats, dated July 16, 2012, reaffirms the policy that persons working in both schools and offices should treat all persons equally and respectfully, refraining from the willful or negligent use of slurs against anyone on the basis of race, language spoken, color, sex, religion, handicap, national origin, immigration status, age, gender identity or gender expression, sexual orientation, political belief, etc.

E. Board Rules 1266

Board Rule 1266 reaffirms that District equipment should be used for and dedicated to official business and personal use of such equipment should be kept to a minimum. At no time should District equipment be used for outside, commercial or business purposes. Employees who abuse the privilege to use District equipment for minimal personal use as set forth in this Rule shall be subject to discipline up to and including termination, and the District retains the right to restrict or revoke employee's privilege to use District equipment if the employee engages in such abuse.

Personal calls, e-mail messages, and internet communications or use should be brief, kept to a minimum, limited to calls within the local calling area and should be placed, received, or reviewed only during an employee's lunch hour, break time or before or after work hours.

No employee or other person is permitted to remove any property owned or controlled by the District from premises owned or occupied by the District for personal use.

F. Bullying and Hazing Policy

BUL 5212.2, Bullying and Hazing Policy, dated November 26, 2014, states that the District is committed to providing a safe and civil learning and working environment. The District takes a strong position against bullying, hazing, and any

behavior that infringes on the safety or well-being of students, employees, or any other persons within the District's jurisdiction or interferes with learning or the ability to teach. The District prohibits retaliation against anyone who files a complaint or participates in the complaint investigation process. District policy requires all schools and all personnel to promote mutual respect, tolerance and acceptance among students and staff. This policy shall encompass behaviors or actions that occur among students, District employees and associated adults. The policy is applicable in all areas of the District's jurisdiction, including school and District-related activities, events, programs and traveling to and from school. The District policy against bullying updates the definition and types of bullying and provides recommendations on the investigations, monitoring, documentations and communications regarding incidents of bullying and hazing. District personnel are obligated to follow appropriate District reporting guidelines as detailed in this policy bulletin. Bullying and hazing are part of a continuum of aggressive or violent behaviors. Some acts of bullying or hazing may constitute other categories of misconduct, such as assault, battery, child abuse, hate-motivated incident, criminal activity, or sexual harassment and, as such, violate other District policies. District personnel are obligated to follow appropriate District reporting guidelines as detailed in this policy bulletin. The District will not tolerate retaliation against anyone who reports suspected bullying or hazing or participates in the investigation process. Confidentiality and non-retaliation requirements extend to all parties involved.

G. Cal/OSHA Log of Injuries and Illnesses

BUL 5693.2, Cal/OSHA Log of Injuries and Illnesses, dated January 21, 2015, establishes procedures for the posting of employee injury and illness data by all schools and offices. California State law requires every employer to maintain a log of work-related injuries and illnesses and to display the Annual Summary of Work-Related Injuries and Illnesses (California Occupational Safety and Health Administration (Cal/OSHA) Form 300A). This form must be posted in a conspicuous place for employees from February 1 until April 30 each year at each school site. Information on work-related injuries and illnesses is compiled from individual injury claims reported to Sedgwick Claims Management Services (CMS), Inc. Sedgwick CMS is the third party administrator that handles workers' compensation claims for the District. Cal/OSHA Form 300, "*Log of Work-Related Injuries and Illnesses*" is a detailed report of workplace injuries by location. It lists the specific information for each OSHA recordable injury including employee name, description of injury and lost work days. This form is confidential and employee privacy must be maintained at all times. Each location is required to maintain these records onsite for at least five years.

H. California Confidential Address Program

BUL 6591.0, California Confidential Address Program Implementation, dated October 15, 2015. This Bulletin provides procedural guidelines for handling the

records of students or employees participating in the California Confidential Address Program (Cal CAP) administered by the Secretary of State. The program's goal is to assist survivors of domestic violence to remain safe once they have escaped from an abusive situation. Each certified participant is assigned a substitute address to use in place of his/her home, work, or school address, which is kept confidential. Cal CAP is important because it allows state and local agencies throughout California to coordinate to ensure address protection to survivors of domestic abuse. It offers victims leaving an abusive, threatening environment an additional layer of security by providing a substitute mailing address to use whenever their home, work, or school address is requested.

I. Certification of Absence Forms (BUL-6307.5)

BUL-6307.05, Certification of Absence Forms dated April 2, 2018, advises administrators and time-reporters of the updated Certification Absence Forms. The updated forms replace Certification/Request of Absence for Illness, Family Illness, New Child (Form No.60. ILL; 7/10/2017) and Certification/Request of Absence for Non-Illness (Form No.60. NON-ILL; 7/10/2017). Form No. 60.ILL is a reissue to include the same revised date as Form No. 60.NON-ILL and the latter has been revised to include the options for Court Appearance, School Activity, and 1994 Vacation Bank Hours.

J. Child Abuse Awareness Training and Resources

MEM 6338.5, Child Abuse Awareness Training (CAAT) and Resources, dated January 11, 2019 replaces MEM 6338.4, Child Abuse Awareness Training (CAAT) and Resources, dated September 19, 2018, provides an overview of all District Child Abuse Awareness Trainings and resources.

For the Fall CAAT, all employees are auto-enrolled and are required to complete an assessment annually between July 1 and no later than September 30. Substitutes who have completed the hiring process are also auto-enrolled in the My Professional Learning Network (MyPLN) course. New employees hired after September 30 are required to complete the Fall CAAT within 30 days of initial employment and annually thereafter. ***For the Spring CAAT***, effective January 2, 2019, LAUSD employees (including substitutes) are not required to complete the Spring Child Abuse Awareness Training. Schools and offices are not required to comply with the CAAT spring online certification in the Principal's Portal. The Division of District Operations and the Child Abuse Awareness Training websites have been updated with this information.

K. Child Abuse and Neglect Reporting Requirements

BUL 1347.4, Child Abuse and Neglect Reporting Requirements, dated September 28, 2018 replaces BUL 1347.3, Child Abuse and Neglect Reporting Requirements, dated August 19, 2016. The revision provides updated information and clarification

of guidelines for reporting suspected child abuse and neglect, as required by law. The District recognizes that it is the responsibility of all staff to protect students from abuse and neglect by becoming knowledgeable about abuse and neglect, its indicators, filing mandatory suspected child abuse reports as required, and cooperating with child protective agencies. This bulletin ensures that all District employees have access to the information needed to fulfill their mandated child abuse reporting legal obligations. **Pursuant to District policy, ALL District employees are mandated reporters of suspected child abuse/neglect.** State law applies to certificated employees, health practitioners, school police, employees of child care centers, instructional aides, teachers' aides, teachers' assistants, and classified employees as mandated reporters of suspected child abuse.

All mandated reporters with actual knowledge or reasonable suspicion of child abuse/neglect must:

- Call the appropriate local law enforcement department or the Department of Children and Family Services (DCFS) IMMEDIATELY, or as soon as practically possible, **AND**
- Submit the written report to the agency called within 36 hours of receiving the information.

State law provides immunity from civil or criminal liability for mandated reporters who file suspected child abuse reports. The District will defend employees who file suspected child abuse reports in the course and scope of their employment consistent with District policy against any actions/claims that may be made as a result of such reports. Failure to comply with this policy may subject an employee to professional liability, as well as discipline, demotion, dismissal, and the possible suspension or revocation of credentials. Failure to comply with the mandated suspected child abuse reporting requirements may also subject an employee to personal civil liability which can result in the cost of defense and subsequent related damages the child incurs, if any. Any employee, as a mandated reporter of suspected child abuse, who fails to report any instance of abuse or neglect, while knowing or reasonably suspecting abuse or neglect, can incur criminal liability of a misdemeanor punishable by imprisonment in the county jail for a maximum of six months, a fine up to \$1,000, or both.

L. Civil Rights Requirements

Civil Rights requirements are set forth by the USDA for anyone participating in any federally funded meal programs. The objective of the civil rights regulations is to assure that benefits of Child Nutrition Programs are made available to all eligible people in a non-discriminatory manner. All students must receive the same treatment. LAUSD Food Services Division is the School Food Authority (SFA) and sponsor of all meal programs offered in schools. The following are the meal programs offered: School Breakfast Program (SBP), National School Lunch Program (NSLP),

Child & Adult Care Food Programs (CACFP), and Summer Food Services Program (SFSP)

The following are some of the Civil Rights requirements:

- USDA nondiscrimination statement and its use
- Nondiscrimination poster “And Justice for All”
- Accommodations for a child with and without a documented disability
- Training requirements for staff
- Complaint procedure

The USDA programs prohibit discrimination based on race, national origin, age, color, religious creed, political beliefs, sex, disability, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Schools must prominently display the USDA nondiscrimination poster “And Justice for All.” The mandated poster size is 11 inches in width by 17 inches in height. The poster must be displayed where meals or snacks are served and any location where parents and the public can read it.

Reasonable accommodations mean that participants must be able to have equal access to all areas related to the child nutrition programs. For example, a parent in a wheelchair must have access to the food service department where he or she might need to pick up or drop off an application. The Americans with Disabilities Amendment Act requires that sponsors provide: substitutions to a child with a disability when the need is supported by a written medical statement, a “Medical Statement to Request a Special Diet” must be completed and signed by a Medical Authority.

Sponsors must provide annual training for their personnel, including frontline staff. Sponsors are required to provide documentation that the civil rights training occurred, the relevant topics covered, and a list of the participants that attended.

Sponsors must appoint a civil rights coordinator to address complaints. Sponsors must also establish a grievance procedure for handling complaints. Sponsors must Train and implement procedures to determine and process civil rights complaints and finally, sponsors must provide information of requirements and procedures for filing a complaint in English or the appropriate language.

For reference, employees should refer to the Civil Rights Requirements training located at <http://cafe-la.lausd.net/staff/TrainingandResources>. The training is more comprehensive and provides examples of what is necessary in order to be in compliance.

M. Compliance with Title II of the Americans with Disabilities Act (ADA) (BUL-46982.0)

BUL 46982.0 Compliance with Title II of the American with Disabilities Act (ADA), outlines the ADA compliance and non-discrimination responsibilities, to ensure

District employees are aware of the rights of individuals with disabilities, and to provide awareness of existing support resources, including training requirements. District employees are required to comply with Title II of the Americans with Disabilities Act of 1990 (ADA; and as amended) and with Section 504 and Section 508 of the Rehabilitation Act of 1973 (Section 504, Section 508, respectively) in providing services, programs and activities to students with disabilities, as well as to parents, visitors, and community members with disabilities who use District facilities.

N. Crisis Preparedness, Response and Recovery

BUL 5800.0, Crisis Preparedness, Response and Recovery, dated October 12, 2015, outlines administrative guidelines and procedures for responding to crises that may impact the school community, in addition to providing effective crisis management and interventions mitigating negative social-emotional consequences, reduces the period of school disruption as well as restores safety and security to the school community promoting attendance, academic achievement, and wellness. All District employees are expected to adhere to the Crisis Preparedness, Response and Recovery (CPRR) policy, and to respond to crisis incidents.

O. Code of Conduct with Students

BUL 5167.0, Code of Conduct with Students, dated July 1, 2010, states that the District's most important responsibility is the safety of our students. All employees, as well as individuals who work with or have contact with students, are reminded that they must be mindful of the fine line drawn between being sensitive to and supportive of students, and a possible or perceived breach of responsible, ethical behavior. While the District encourages the cultivation of positive relationships with students, employees and all individuals who work with or have contact with students are expected to use good judgment and are cautioned to avoid situations including, but not limited to the following indicated in the *Code of Conduct with Students*.

Food Services Employees MAY NOT:

- Meet individually with any student behind closed doors, regardless of gender
- Remain on campus with any student after the last administrator leaves the school site
- Engage in any unprofessional, unethical, illegal, immoral or exploitative behavior, either directly or indirectly with any student or in the presence of any student.
- Give any student gifts, rewards, or incentives that are not school related and for which it is directly or implicitly suggested that a student is to say or do something in return.
- Make statements or comments that are not age appropriate and professional, or which may be considered sexual in nature, harassing, or demeaning, either directly or in the presence of any student.

- Touch or have physical contact with any student that is not age-appropriate or within the scope of the employee/individual responsibilities and/or duties.
- Transport any student in a personal vehicle without proper written authorization and parent authorization forms on file in advance.
- Take or accompany any student off campus for activities other than a District approved school journey or field trip.
- Meet with or be in the company of any student off campus, except in school-authorized and/or approved activities.
- Communicate with any student(s), in writing, by phone email/electronically, via Internet, or in person, at any time, for purposes that are NOT specifically school-related.
- Call any student at home or on their cell phone, except for specific school-related purposes and/or situations
- Provide students with a personal home/cell telephone number, personal email address, home address, or other personal contact information, except for specific school-related purposes and/or situations.

Even though the intent of the employee/individual may be purely professional, those who engage in any of the above behavior(s), either directly or indirectly with any student, are subjecting themselves to all possible perceptions of impropriety. The District advises employees and individuals that when allegations of inappropriate conduct or behavior are made, the District is obligated to investigate the allegations and, if warranted, take appropriate administrative and/or disciplinary action.

P. District Communications to Employees

Interoffice Correspondence from Thelma Meléndez de' Santa Ana, Ph.D., Chief Executive Officer, Office of Educational Services to All Employees, LAUSD Electronic Mail (Email) Account Reminder, dated March 16, 2016, reminds employees that the District provides every employee with a reliable and portable electronic mail account (email) beginning with the first day of employment. This account is used as a central tool to facilitate official work related communications:

- From the District to employees
- Between employees
- Between employees and external stakeholders

Regardless of work location and duties, every employee is responsible for monitoring his/her assigned email account regularly for official correspondence and notices. Employees are also responsible for keeping their designated accounts within maximum storage limits to ensure that work-related correspondence is received. Where individual computers are not assigned to employees, the District has provided work site computer terminals so that all

employees, regardless of work location and duties, can access and monitor email accounts regularly.

P. Documentation for Employees Paid from Federal and State Categorical Programs (BUL-2643.8)

BUL 2643.8, Documentation for Employees Paid from Federal and State Categorical Programs, dated June 7, 2017. This bulletin states that Federal and State regulations require time and effort documentation, in addition to time cards, for all personnel who receive any payment (compensation) from federal funds or from state categorical funds. Employees who receive compensation from federal or state categorical programs are required to complete additional supporting documentation which confirms that the activities or work that was completed was indeed for the program that funded the activity. Required supporting documentation will vary depending upon the funding source(s) and/or nature of the employee's job duties.

Q. Drug, Alcohol, and Tobacco-Free Workplace

BUL 6488.1, Drug, Alcohol, and Tobacco-Free Workplace, dated September 19, 2016 replaces BUL 6488.0, Drug, Alcohol and Tobacco-Free Workplace, dated April 8, 2015. It is the policy of the District to maintain a drug-and alcohol-free workplace and to prohibit the manufacture, sale, distribution, dispensing, possession, or use of illicit drugs and alcohol by employees in all workplaces. **It is also the policy of the District to prohibit smoking and the use of all tobacco products such as e-cigarettes and peripherals, at all times, on all District property**, District-owned or leased buildings, and in District vehicles, by all persons, including employees, students, and visitors at any school or District site or any school-sponsored event. The District maintains a zero tolerance for possession of a drug and or alcohol related paraphernalia as well as prohibits employees from appearing for work under the influence.

Employees for whom there is reasonable suspicion for drug or alcohol use and who refuse to submit to an alcohol or a controlled substance test will be immediately removed from performing work function, placed on suspension, and subsequently dismissed from District service. Failure to take a reasonable suspicion or other reasonably necessary drug and alcohol test when directed could lead to discipline up to and including dismissal for failing to abide by this Bulletin. Being "under the influence or effects" means that the employee reported for duty and appeared to be under the influence based on the employee's speech, behavior, appearance or other information, and/or tested positive for alcohol or a controlled substance.

Federal regulations require employees to abide by this policy as a condition of employment and further require that newly hired employees receive written notice of the District's commitment to a drug and alcohol-free workplace. This policy in

no way precludes administrative or disciplinary action by the District for drug-related and alcohol-related violations occurring outside the workplace.

Employees are required to report any criminal drug or alcohol statute conviction for a violation occurring in the workplace no later than five (5) days after a conviction. Employees convicted of a criminal drug offense for illegal drug or alcohol activity in the workplace may be subject to appropriate administrative action or discipline, including, but not limited to, written reprimand, suspension, and dismissal from employment

R. Employees' Children and Visitors in the Workplace

BUL 6600.0, Employees' Children and Visitors in the Workplace, dated October 18, 2015. The District does not permit the presence of employee's children or visitors at the work site during employee's work assignment. Frequent recurring presence of visitors or family members during work hours is unsuitable in that it detracts from the District's goals of proficiency for all students, presents potential health and safety issues to all involved, and poses a liability to the District.

This policy applies to all District worksites. This policy is not intended to prohibit family members, minors, and dependents from attending school, cultural or sporting events, or during authorized use of District property. Employee's children who meet the eligibility requirements are welcome to visit the worksite on the day designated by the District as "Take Your Child to Work Day" issued annually by the Office of School Operations.

S. Ethics Policies

BUL 4748.0, Ethics Policy, dated May 18, 2009, states that the District is committed to cultivating ethical conduct, to build trust, and to improving organizational performance. It is the responsibility of all District employees (including substitutes and part-time employees) to be knowledgeable about District's Ethics Policies and to take an active role in promoting an organizational culture that encourages ethical conduct. The District has Board-approved Ethics Policies that Food Services Division employees should be familiar with including the Employee Code of Ethics.

Employee Code of Ethics

It is the District's mission to educate all students to their maximum potential. The District's success depends on teamwork, trust and commitment. The Employee Code of Ethics is intended to help achieve success by setting common expectations and increasing trust, commitment and teamwork within the District, and between the District and the community. **The Employee Code of Ethics's three core ethical principles** are:

- Commitment to Excellence
- District and Personal Integrity
- Responsibility

The Employee Code of Ethics helps develop trust by describing what the public can expect from us, and what we can expect from each other and our District. It plays a central role in our District's commitment to help District personnel achieve the highest ethical standards in their professional activities and relationships. Our goal is to create a culture that fosters trust, commitment to excellence and responsibility, personal and institutional integrity, and avoids conflicts of interest and appearances of impropriety. The Employee Code of Ethics applies to all District employees and is supported by State law, District Board, and Personnel Commission Rules, regulations, bulletins, and collective bargaining agreements. Violations of the Employee Code of Ethics may result in administrative or disciplinary action under those laws, rules, regulations, bulletins and agreements. The Employee Code of Ethics does not provide a complete listing or a definitive answer to every possible ethical situation; however, listed below are examples of positive behavior identified in the Employee Code of Ethics:

- Create an environment of trust, respect, and non-discrimination.
- Provide honest, accurate and timely information
- Identify problems and help create solutions
- Adhere to policies, procedures and rules
- Report improper conduct
- Avoid Retaliation
- Avoid conflicts of interest
- Decline gifts
- Maintain appropriate relationships with students
- Proper use of public resources
- Leadership of District personnel and use of District time
- Uphold Confidentiality

T. Employee Inappropriate Conduct Allegation Policy and Procedures

BUL 6211.0, Employee Inappropriate Conduct Allegation Policy and Procedures, dated December 10, 2013, replaces BUL 5736.2, Employee-to-Student Sexual Abuse and Related Investigation and Notification Policy, dated October 18, 2012. It is the District's policy to assist administrators and supervisors in handling allegations, managing the investigation and notification processes, as well as processing related discipline with the utmost concern for students, while complying with the rights of employees under applicable laws and collective bargaining agreements. The District is committed to maintaining a learning environment that is free from abuse of any type. Allegations of employee misconduct must be handled in accordance with applicable law and District policies regarding the

reporting of suspected child abuse and responding to allegations of sexual misconduct towards students.

U. Employee Unions, Associations, and Organizations, Solicitations and Sale of Merchandise, and Use of School Mail

BUL 6178.0, Employee Unions, Associations, and Organizations, Solicitations and Sale of Merchandise, and Use of School Mail, dated October 13, 2013 replaces BUL 5474.0, Office of Staff Relations, Human Resources, dated May 9, 2011. It is the policy of the District to provide the opportunity for unions/associations to contact employees at their place of work and to conduct their activities. In all instances, union/association representatives are to inform the site administrator of their presence immediately upon arrival at the facility and are to identify themselves as an authorized representative of an officially recognized union/association. The representative shall state the intended purpose and length of the visit. There shall be no discrimination for or against such unions/associations in providing opportunities for union/association representatives to meet with employees. Provided there is no interference in any way with the services of the employee or employees contacted, a representative shall be permitted to discuss union/association matters with an individual employee, or a group of employees, during the following times:

- Preceding the daily period of service
- Following the close of the daily period of service
- During the duty-free lunch period

V. Family and Medical Leave Act/California Family Rights Act Policy

BUL 1205.4, Family and Medical Leave Act/California Family Rights Act/Pregnancy Disability Leave Policy, dated February 28, 2019, replaces BUL-1205.3, Family and Medical Leave Act/California Family Rights Act Policy, dated October 5, 2015. The District is committed to continued compliance with the federal Family and Medical Leave Act (FMLA) and the California Family Rights Act (CFRA). FMLA and CFRA require that employers provide to an eligible employee a maximum of twelve (12) work weeks of protected leave per year when the employee or a covered family member (spouse, domestic partner (CFRA Only), son, daughter, or parent) experiences a “*serious health condition*,” or when an employee requests time to bond (Parental Leave) with the employee’s child after the child’s birth or placement through adoption or foster care or for military exigency leave for a covered service member. An eligible employee can be entitled to protected leave of up to 26 work weeks to care for a covered military service member with a serious illness or injury sustained while on active military duty.

The content has been revised to reflect changes made to District administrative processes and communications. Major changes include:

1. Information regarding Pregnancy Disability Leave (PDL) has been added.

2. Information regarding Evidence of Relationship (EOR) has been added.
3. Health Care Provider Certification (form FMLA-1) has been updated.
4. Employee Eligibility & Entitlement and Rights & Responsibilities Notice (Form FMLA-2) has been updated.
5. Approval Designation Notice (form FMLA-3) has been updated.
6. Designation Not Approved Notice (form FMLA-4) has been updated.
7. Exhaustion of Protected Absence Notice (form FMLA-5) has been updated.
8. Complete and Sufficient Certification Notice (form FMLA-7) has been added.
9. Evidence of Relationship Information Sheet (form FMLA-8) has been added.
10. Certification of Qualifying Exigency (form FMLA-9) has been added.

W. Guidelines for Sales/Service of Non-School Meals Food/Beverages on Campus

BUL 6292.1, dated August 24, 2015 replaces BUL 6291.0 dated May 19, 2015. The Healthy, Hunger-Free Kids Act of 2010 required the USDA to establish nutrition standards for all foods and beverages sold to students outside the federal reimbursable meal program throughout the school day and on the school campus. Through this authorization, the USDA created national competitive food regulations, known as Smart Snacks in School (SSIS) Rule, which became effective on July 1, 2014.

X. Guidelines on Use of Privately Owned Vehicles for Authorized School District Business

BUL 5310.0, Guidelines on Use of Privately Owned Vehicles for Authorized School District Business, dated October 20, 2010, states that all drivers of private vehicles must maintain a valid California driver's license and automobile liability insurance that meet or exceed California mandatory liability insurance requirements. On an annual basis, all drivers will be required to submit proof of a valid driver's license and automobile liability insurance to the Food Services Human Resources. Any employee who is convicted of a Department of Motor Vehicle (DMV) violation that results in a suspended/revoked license must report this matter to Food Services Human Resources within one (1) business day.

Upon the request of a Site Administrator, Food Services Manager, Area Food Services Supervisor, and/or Food Services Human Resources, an employee who is authorized to use a private passenger vehicle for employment purposes **MUST** show proof and possession of a valid California driver's license and Automobile Liability insurance pursuant to the California Financial Responsibility Act.

Drivers and passengers must wear seat belts at all times while occupying a private passenger vehicle to carry out approved activities or employment duties. Additionally, drivers must not transport more persons than the vehicle was originally designed to safely carry or more than the number of seat belts equipped in the vehicle.

The District does not provide collision or comprehensive coverage for an employee's private vehicle whether owned, leased or borrowed. Additionally, the District does not pay for damage to the employee's vehicle. In the event of an accident in the course and scope of employment resulting in property damage or bodily injury to another party, the automobile liability insurance carried on the employee's vehicle shall always be primary. The District's self-insurance assumes the position of Primary Insurer for liability purpose only. Beyond that, any additional liability coverage for a District employee depends on whether the private vehicle used falls within the course and scope of an employee's designated employment.

All employees involved in an automobile accident during the course and scopes of employment are required to complete and submit the District's Vehicle Accident Report to Food Services Human Resources immediately following the accident (if practicable). Workers' Compensation is available for District employees required or authorized to drive private vehicles for District business.

All employees who drive privately owned vehicles to transport food and/or equipment used to prepare food for District business are still required to maintain clean and sanitized vehicles at all times.

Y. Hate-Motivated Incidents and Crimes – Response and Reporting

BUL 2047.2, Hate-Motivated Incidents and Crimes – Response and Reporting, dated September 4, 2018, replaces BUL 2047.1 Hate-Motivated Incidents and Crimes – Response and Reporting, dated June 15, 2015. The revision updates protected categories, and District policy and procedures for documentation and reporting of hate-motivated incidents/crimes. The District is committed to providing a safe learning and working environment that is free from discrimination, harassment, intimidation and/or bullying. District policy requires all schools and personnel to promote mutual respect, tolerance, and acceptance among students and staff. Hate-motivated incidents and crimes or actions motivated by bias/prejudice/bigotry jeopardize both the safety and well-being of all students and staff. Current law requires school districts to document and report all hate motivated incidents and crimes to facilitate development of effective programs and techniques to mitigate hate-related incidents/crimes on school campuses. The District will not tolerate hate-motivated incidents/crimes based on actual or perceived characteristics of actual or perceived sex, sexual orientation, gender, gender identity, gender expression, race or ethnicity, ethnic group identification, ancestry, nationality, national origin, religion, color, mental or physical disability, age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity it conducts or to which it provides significant assistance or retaliation in any form for reporting such incidents/crimes.

A “*hate-motivated incident*” is a noncriminal act or attempted act that constitutes an expression of hostility, bias or bigotry against a person, property, or institution because of the target’s actual or perceived protected characteristics set forth above. This may include using insults, taunts, and slurs, distributing or posting hate group literature or posters, defacing, removing, or destroying posted materials or announcements, posting or circulating demeaning jokes or leaflets, or sending insulting or threatening messages by phone, e-mail, websites, or any other electronic or written communication. A “*hate-motivated crime*” is a “*hate-motivated incident*” that has been determined by law enforcement to be criminal conduct that was primarily motivated by bias or prejudice against a targeted group. This includes any criminal action that manifests evidence of hostility toward the target because of his or her actual or perceived characteristics set forth above. Such action includes, but is not limited to, threatening telephone calls, hate mail, physical assault, vandalism, cross burning, destruction of religious symbols and fire bombings. This also includes threats and hate messages sent by electronic communication.

Z. Incident System Tracking Accountability Report (ISTAR)

BUL 5269.2, Incident System Tracking Accountability Report (ISTAR), dated July 10, 2013, replaces BUL 5269.1, Incident System Tracking Accountability Report, dated August 13, 2012. The District is committed to supporting schools and offices as they work to create and maintain safe and caring learning and working environments for all students and staff. The Incident System Tracking Accountability Report (ISTAR) is a District-wide electronic tool to report and document incidents involving students, employees, or the school community which occur on or near District schools and sites. Accurate reporting enables responders to mobilize efficiently and effectively and allocate appropriate resources to address incidents and provide support to schools, offices, and those affected. The system is also intended to reduce potential miscommunication. ISTAR will capture more specific incident information and produce more accurate and meaningful data to find similarities in incidents so that divisions can develop solutions and strategies to address these incidents and improve the response process.

All Food Services Division employees are required to notify their supervisor and/or the school’s site administrator immediately regarding any observation and/or direct involvement of inappropriate behavior. Food Services Division Supervisory and/or Management staff including Food Service Managers and Area Food Service Supervisors are required to report **all** incidents relating but not limited to the following incidents within 24 hours of notification and/or observation.

- Accidents
- Child Abuse
- Fighting
- Altercations
- Injury

- Bullying
- Disruptive Behavior
- Possession of Illegal Substance or Weapons
- Inappropriate Sexual Behavior
- Suicidal Behavior
- Theft
- Threats

AA. Injury and Illness Prevention Program Requirements

BUL 3772.3, dated August 26, 2013, California Code of Regulations and Board Rule 2351 mandate that the District maintain a safe and healthy workplace for employees. These regulations require that each work location have a written Injury and Illness Prevention Program (IIPP) with specific responsibilities and procedures to prevent employee injuries and illnesses. As a result, each District site must have a written IIPP that is reviewed bi-annually and revised whenever there is a change in the site administrator or other personnel listed in the IIPP, there is a change in operations, or when new regulations have been issued. The IIPP must be available for review by an Occupational Safety and Health Administration (OSHA) Compliance Officer during an inspection or accident investigation conducted at their facility.

This Bulletin replaces Bulletin No. BUL-3772.2, “Illness and Injury Prevention Program Requirements,” issued by the Office of Environmental Health and Safety (OEHS) dated June 4, 2012. The requirements to review bi-annually (in alignment with the Administrators Certification On-line System) and to require employees to attend periodic safety meetings have been added.

AB. Lactation Accommodations for Employees

BUL 6689.0, Lactation Accommodations for Employees, dated May 17, 2016, Federal and state law requires employers to accommodate and provide suitable space for employees who choose to continue breastfeeding following their return to work after the birth of a child. Many employees who breastfeed believe that breastfeeding provides numerous health and developmental benefits for their child. Expressing breast milk at work for these employees is a necessity and a legal right. The Los Angeles Unified School District is legally obligated to accommodate lactating employees and legally prohibited from discriminating, harassing or retaliating against them for expressing breast milk at work.

AC. Legally Mandated Paid Sick Leave of Eligible Employees

BUL 6529.1, Legally Mandated Paid Sick Leave of Eligible Employees, dated August 3, 2015. This revised bulletin reflects change necessitated by the July 2015, amendment to the Healthy Workplaces, Healthy Families Act of 2014, and includes an updated related resources. The amendment excludes a retired annuitant of a

public agency from the definition of employees eligible for mandatory paid sick leave. The Healthy Workplaces, Healthy Families Act (“Act”) of 2014 provides mandatory paid sick days for specific eligible employees who currently do not have paid sick days. Effective July 1, 2015, eligible employees are entitled to up to three (3) protected paid sick days or 24 hours in a 12-month period, for the diagnosis, care or treatment of a health condition, or for preventative care for an employee or an employee’s family member. The new law does not provide additional sick days to District employees who already receive paid sick days. The Act also provides paid sick days to an employee for certain purposes related to being a victim of domestic violence, sexual assault or stalking. The Act defines employee eligibility, prescribes use of mandatory paid sick days, eligible family members, notice requirements and contains non-retaliation provisions.

AD. Mandatory Posting of Regulatory Notices

BUL 4991.10, Mandatory Posting of Regulatory Notices, dated December 10, 2018, replaces BUL 4991.9, Mandatory Posting of Regulatory Notices, dated February 7, 2018. All mandatory State and Federal employment notices/posters are required by law to be posted in areas frequented by employees, where the notices/posters are highly visible and may be easily read during the workday. California employers are required to replace mandatory workplace notices when the content of a notice changes.

AE. New Certification of Absence Forms

BUL 6307.5, Certification of Absence Forms dated April 2, 2018, replaces BUL 6307.4 Certification of Absence Forms dated July 10, 2017. The policy advises administrators and time-reporters about the updated Certification of Absence Forms. The updated forms replace Certification/Request of Absence for Illness, Family Illness, New Child (Form No. 60.ILL; 7/1/2016) and Certification/Request of Absence for Non-Illness (Form No. 60.NON-ILL; 7/1/2016). Form No. 60.ILL has been revised to include the paid option for Parental Leave and form No. 60.NON-ILL has been revised to include the option Paid Vacation Parental Leave for eligible Classified or Certificated employees

AF. Non-Discrimination Statement

The District prohibits discrimination and harassment based on an individual’s ethnicity (such as race, color, national origin, and ancestry); gender (including sex, sexual orientation, sexual perception, pregnancy, childbirth, or related medical condition); religion (including religious accommodation); disability (mental, physical, cancer, genetic characteristics, or reasonable accommodation); leaves of absence protected by the Family & Medical Leave Act and the California Family Rights Act; age (40 and above); marital status; political belief; Vietnam-era veteran status (or special disabled veteran-status); or any other basis protected by federal, state, or local law. **All LAUSD** employees are expected to behave in a manner

which maintains a working environment free of harassment and/or discriminatory behavior at all times. Harassment can be unwelcome or abusive behavior toward a student or employee that creates a hostile or offensive working environment.

AG. Outside District Employment or Activities (BUL-049895.0)

BUL 049895.0, dated May 10, 2018, states that employees who have outside employment and other activities which may be inconsistent with the District's mission or interfere with District work are legally required to disclose and request permission before engaging (or continuing to engage if not previously disclosed) in such activities. An employee wishing to engage in outside employment, activity, or enterprise that may be inconsistent, incompatible, in conflict with, or inimical to the employee's duties shall submit a written request describing the nature and time required by completing the Request for Approval for Outside Employment, Activity, or Enterprise form.

AH. Overtime Policy – Classified Employees (BUL-5996.1)

BUL 5996.1, dated July 7, 2017, provides information to administrators, time reporting personnel, and affected employees regarding the District's overtime pay policy and how time should be reported.

AI. Phones, Cell Phones, and other Electronics

Except in cases of emergency, employees are not to make or receive personal phone calls while working. Should the Food Services Manager, AFSS, or supervisor notice an abuse of this privilege, he/she is expected to coach or counsel the employee concerning the pattern and suggest the use of the pay telephone at the school or NNC for personal calls. Employees issued district cell phones or those making fee calls of a personal nature must pay all pertinent charges for those calls. Employees who own cellular phones or other wireless communications devices are prohibited from using these devices during their assigned work hours. Communicating devices such as cell phones, pagers, MP3 players, tablets, etc. are to be secured away from the cafeteria or NNC work area during work hours. This also applies to Food Service Managers (unless it is related to the operation of the cafeteria). Staff working in the central office and field required to utilize cell phones, computers, tablets etc. must do so responsibly and are not allowed to talk on the cell phones while driving without a proper hands free listening device. Personal calls are allowed but must be made on the employee's own time (e.g. before/after work and during scheduled breaks).

AJ. Professional Standards Class Requirements

The USDA has established minimum professional standards requirements for school nutrition professionals who manage and operate the National School Lunch and School Breakfast Programs. Required training topic areas will vary

according to position and job requirements. These standards will ensure school nutrition personnel have the knowledge, training, and tools they need to plan, prepare, and purchase healthy products to create nutritious, safe, and enjoyable school meals.

This rule will:

- Create minimum hiring standards for new school food authority (SFA) directors based on a school district's size;
- Establish minimum hiring standards for new State directors of school nutrition programs and State directors of distributing agencies; and
- Require minimum annual training for all new and current school nutrition professionals.

The required courses to be completed are determined by your work class within the Food Services Division. You will receive an email notification that you have been registered in MyPLN for assigned course, login utilizing single sign-on. To access your required annual Professional Standards Training courses, visit the link below:

<http://achieve.lausd.net/mypln>

AK. Requests for Reference Information Letters of Recommendation

BUL 6495.1, Responding to Requests for Reference information Letters of Recommendation This policy sets forth expectations and recommendations for lawful and ethical reference reporting, and provides clarifying information for applicants, their supervisor, and hiring administrators. The District recognizes that supervisors and colleagues are often asked to provide information regarding fellow employees as they apply and compete for job opportunities. While no employee is required to provide reference information, employees who choose to do so are expected to provide truthful and factual information.

AL. Responsible & Acceptable Use Policy (RAUP) For District Computer and Network Systems

BUL 999.13, Responsible Use Policy (RUP) for District Computer and Network Systems (BUL-999.13), dated March 5, 2019, replaces BUL-999.12, Responsible Use Policy (RUP) for District Computer and Network Systems. This bulletin ensures that teachers, students, parents, administrators, and other District and school personnel use District data systems in a responsible, efficient, ethical, and legal manner, and the such use is in support of the District's business and education objectives. Users of District computer systems, networks, or the Internet must adhere to the Responsible Use Policy. The revision makes the policy applicable to parents and clarifying their responsibilities when using digital resources provided by the District such as computers, information systems, networks, Internet access, and email.

AM. School Procedures During Inclement Weather Conditions

School Procedures During Inclement Weather Conditions, BUL 5706.2. This bulletin provides information for Local Districts and schools regarding the closure of school and curtailing specific activities during inclement weather.

AN. Sexual Harassment Policy

BUL 3349.1, Sexual Harassment Policy (Student-to-Student, Adult-to-Student, Student-to-Adult), dated August 6, 2015, replaces BUL-3349.0, Sexual Harassment Policy (Student-to-Student, Adult-to-Student, Student-to-Adult), dated November 29, 2006 and BUL 1893.1, Sexual Harassment Policy (Employee-to-Employee), dated August 1, 2005, state that the District is committed to maintaining a working and learning environment that is free from sexual harassment. Sexual harassment of, or by employees, students, third parties or persons doing business that takes place or is affiliated with the District, is a form of sex discrimination in that it constitutes differential treatment on the basis of actual or perceived sex, sexual orientation or gender. As such, any act of sexual harassment is a violation of state and federal laws, as well as District policy and is prohibited. The District considers sexual harassment to be a serious offense which can result in disciplinary action to the offending employee or student, including the suspension or expulsion of the offending student in Grades 4-12. While suspension or expulsion as a disciplinary consequence for sexual harassment shall not apply to students enrolled in Kindergarten and Grades 1-3 under California law, other disciplinary actions or interventions may be taken as appropriate. Students or employees of the District who believe that they have been a target of sexual harassment shall bring the problem to the attention of the site administrator or site Title IX/Bullying Complaint Manager. All complaints will be promptly investigated in a way that respects the privacy of all parties concerned. The District will take appropriate actions reasonably calculated to eliminate the harassment, prevent its recurrence and remedy its effects. The District prohibits retaliatory behavior against anyone who files a sexual harassment complaint or who participates in the complaint investigation process.

Conduct (including electronic communications, acts or postings) which may constitute sexual harassment includes, but is not limited to, the following:

- Verbal - unwelcome conduct such as the use of suggestive, derogatory, or vulgar comments; the use of sexual innuendos or slurs; making unwanted sexual advances, invitations, and/or comments; pestering for dates; making threats; and/or spreading rumors about or rating others as to their sexual activity or performance; threats/demands/pressure to submit to sexual requests in order to keep a job or academic standing or to avoid other loss, and/or offers of benefits in return for sexual favors.

- Visual - unwelcome conduct such as the display of sexually suggestive objects, pictures, posters, written material, cartoons, or drawings; the use of graffiti, texting and/or computer-generated images of a sexual nature; and/or the use of obscene gestures or leering.
- Physical - unwelcome conduct such as unwanted touching, pinching, kissing, patting, or hugging; the blocking of normal movement; stalking; sexual acts or assault; and/or physical interference with work or study directed at an individual because of the individual's actual or perceived sex, sexual orientation, gender identity or gender expression.

AO. Social Media Policy for Employees and Associated Person

BUL 5688.2, Social Media Policy for Employees and Associated Persons, dated July 31, 2018, replaces BUL 5688.0, Social Media Policy for Employees and Associated Persons, dated January 29, 2015. The use of social media may have many instructional benefits but when social media postings violate the law or District policies or create a substantial disruption to the school community and/or work environment, the administrator may have an obligation to respond and take appropriate action, including but not limited to investigation and possible discipline. Under certain circumstances, the District has jurisdiction to discipline employees who violate rules of appropriate conduct, which include, but is not limited to, the use of social networking sites during or outside of work hours. Additionally, the District may not be able to protect or represent employees who incur legal action from a second party in response to the employee's behavior in a social networking site. The District provide policies and guidelines for social media communications between employees, students, parents and other associated persons; to prevent unauthorized access and other unlawful activities by District users online; to prevent unauthorized disclosure of or access to sensitive information, and to comply with the Children's Internet Protection Act (CIPA). While the District recognizes that during non-work hours employees and students may participate in online social media, blogs, and other online tools, District employees and associated persons should keep in mind that information produced, shared and retrieved by them may be subject to District policies and is a reflection of the school community. The revision to the policy reflects updated guidelines and definitions for District users while engaging in social media (Attachment A).

AP. Threat Assessment and Management

BUL 5799.0, Threat Assessment and Management (Student-to-Student, Student-to-Adult), dated July 16, 2012, replaces BUL-1119.1, Organizing for Assessing and Managing Threats, dated December 7, 2005. This bulletin outlines administrative procedures governing school violence and threats involving students, and fulfills the District's mission that all students are able to learn in an environment that is safe and free from acts of intimidation, threats of violence or actual violence. No individual shall be subjected to retaliation, reprisal, or disciplinary action for

reporting acts pursuant to this policy. All students, employees and parents are expected to adhere to the Board of Education's Resolution of Core Values to keep our Students Safe, dated April 8, 2008, which states:

1. The most important responsibility of all District employees is the safety of our students;
2. No person who presents a recognized threat to the physical or emotional health of students will knowingly be allowed to come into contact with children in our care;
3. In balancing the safety of our students against the rights of adults, children always come first.

Any student who commits acts of violence or threatening behavior at school or any school related activity may be subject to removal from the premises, subject to disciplinary action and/or subject to criminal penalties. This action may be taken when there is reasonable cause to believe that such person has willfully disrupted the orderly operation of such campus or facility, as defined in Education Code §32210. This policy encompasses behaviors or actions by students. The policy is applicable to all schools, District and school-related activities and in all areas within the District's jurisdiction. Violence results in significant human and fiscal costs and disrupts the learning environment. Threat and violence risk assessment and management in the educational setting is recognized as a challenging and dynamic process that calls for responses and interventions from administration, staff, law enforcement and the school community.

AQ. Time Off for Voting

BUL 1704.1 – Time Off for Voting, dated October 19, 2012, replaces BUL 1704, Time Off for Voting, dated May 10, 2005. The District must post a Notice informing its employees of their ability to seek paid time off for voting. The Notice must be posted at least ten (10) days prior to any statewide election. Each school, Educational Service Center, and work site is responsible to ensure this posting occurs at their location. The Notice must be posted conspicuously either in the workplace or where it may be seen by employees as they enter or exit their place of work. Supervisors must check their work locations at least ten (10) days prior to any statewide election to ensure the Notice is conspicuously posted. Use this bulletin as the Notice that is posted.

Employees are eligible for paid time off for the purpose of voting, in local and statewide elections, only if they do not have sufficient time outside of working hours to vote. The law provides an opportunity for workers to vote who would not be able to do so due to their working hours. Voting hours are from 7:00 a.m. to 8:00 p.m. Employees may be provided the necessary time needed in order to vote, but limited to a maximum of two hours paid time.

Employees must give the District at least two working days advance notice of their need to take this time off for voting. The District requires that the time provided to the employee be taken at the beginning or end of the employees' work day. Such time is to be reported as Miscellaneous Time (MS) following normal payroll procedures.

AR. Title IX Policy/Complaint Procedures

BUL 2521.2 – Title IX Policy/Complaint Procedures, dated February 14 June 6, 2007, replaces BUL 2521.1, Title IX Policy/Complaint Procedures, dated June 6, 2007. The District is committed to providing a learning and working environment in which all individuals are treated with respect and dignity. Each student and employee has a right to learn and work in an environment that is free from unlawful discrimination. No District student or employee shall be excluded from participation in, be denied the benefits of, or be subject to discrimination on the basis of actual or perceived gender/sex (including gender identity, gender expression, marital status, parenting, pregnancy, childbirth, breastfeeding, false pregnancy, termination of pregnancy, and pregnancy related medical conditions), sexual orientation or a person's association with a person or group with one or more of these actual or perceived characteristics in any District educational program or activity or to which it provides significant assistance.

The purpose of the regulations is to ensure compliance with federal and state nondiscrimination laws in any program or activity conducted by an educational institution.

AS. Transgender Students - Ensuring Equity and Non-Discrimination

BUL 6224.2, Gender Identity and Student – Ensuring Equity and Nondiscrimination, dated May 17, 2019 replaces BUL 6224.1, Transgender Students – Ensuring Equity and Non-Discrimination, dated August 15, 2014. The revision provides updated information and guidance to schools as a result of the Gender Recognition Act which asserts that every person deserves full legal recognition and equal treatment under the law with particular emphasis on persons who identify as intersex, transgender, or non-binary. Likewise, the policy name has been updated to be more expansive in recognition of a gender identity continuum.

The District is committed to providing a safe and supportive learning environment for all students and to ensuring that every student shall have equal access to the District's educational programs and activities. Additionally, District policy requires that all schools and all personnel promote acceptance and respect among students and staff. This policy reflects the reality that transgender and gender nonconforming students are enrolled in the District. Its purpose is to advise District staff regarding issues relating to transgender students in order to create and maintain a safe learning environment for all students. The guidelines provided in this Bulletin do not anticipate every situation that might occur with respect to

transgender students. The needs of each transgender student are unique. This policy should be interpreted consistent with the goals of reducing stigmatization and ensuring the integration of transgender students in educational programs and activities.

California Education Code §210.7 states that ‘gender means sex,’ and includes a person’s gender identity and gender related appearance and behavior whether or not stereotypically associated with the person’s assigned sex at birth.

California Education Code §221.5 (f) states that a pupil shall be permitted to participate in sex-segregated school programs and activities, including athletic teams and competitions, and use facilities consistent with his or her gender identity, irrespective of the gender listed on the pupil’s records.

California Education Code §220 and District policy require that all educational programs and activities should be conducted without discrimination based on actual or perceived sex, sexual orientation, or gender identity and expression.

California Education Code §201 provides that public schools have an affirmative obligation to combat sexism and other forms of bias, and a responsibility to provide an equal educational opportunity to all students.

AT. Tuberculosis (TB) Test

According to California Education Code Section 49406, no one shall be initially employed by a school district unless the person has submitted to the district an examination to determine that he or she is free of active tuberculosis by a licensed physician and surgeon.

Thereafter, employees who are test negative on either the Mantoux skin test or chest x-ray shall be required to undergo the foregoing examination at least once each four years or upon receiving the notice from Employee Health Department whichever comes first. Employee failure to comply will result in disciplinary action, including and up to, dismissal and/or disqualification from employment with the District.

Employee Health Department will send notification to employees via US mail, telephone, and LAUSD email account. It is the responsibility of employees to keep personal contact information current within District records and maintain emails that have not reached the maximum capacity. Any excuse for not receiving notification due to the incorrect address, phone number and/or email box is full will not be acceptable.

Failure to comply with any of the policies listed above may subject the employee to disciplinary action, including immediate suspension pending dismissal.

AU. Uniform Complain Procedure (UCP)

BUL 5159.9, Uniform Complaint Procedures, dated January 31, 2019, replaces BUL-5159.8, “Uniform Complaint Procedures (UCP), dated July 30, 2018. The District has the primary responsibility to ensure compliance with applicable state and federal laws and regulations, and shall investigate complaints alleging failure to comply with those laws and regulations, alleging discrimination, harassment, intimidation, and/or bullying, alleging unauthorized charging of pupil fees for educational activities or alleging failure to comply with legal requirements under the Local Control and Accountability Plan (LCAP). The District shall seek to resolve those complaints in accordance with the procedures set out in §§4600-4687 of Title 5 of the California Code of Regulations and the policies and procedures of the District. The District’s Uniform Complaint Procedures (UCP) may be used to report noncompliance with applicable state and federal laws and regulations, to file complaints alleging discrimination, harassment, intimidation, and/or bullying; unauthorized charging of pupil fees for educational activities, failure to comply with legal requirements under the LCAP, and/or to appeal District decisions regarding such complaints. UCP brochures are available at all school sites and on the District’s website in the primary languages of the school community. Complainants are encouraged, where possible, to try to resolve their complaints directly at the school or work site or with their Educational Service Center (ESC).

A written notice regarding UCP must be disseminated annually to staff, students, parents/guardians, appropriate private school officials or representatives, District advisory committee, school advisory committees, and other interested school parties. Distribution may be in any form (brochure, newsletter, memorandum, staff/parent/student handbook, etc.) that will reach the school community. The revision includes updated information to ensure compliance with legal requirements and per State Federal Program Monitoring.

AV. Workers’ Compensation Claims Reporting

REF 1279.2, Workers’ Compensation Claims Reporting, dated January 19, 2016, replaces REF-1279.1, Workers’ Compensation Claims reporting, dated November 11, 2013. The purpose of this Reference Guide is to provide guidance and procedures when an employee reports a work related injury/illness. Workers’ Compensation is a state-mandated benefit for employees with work related injuries/illnesses. The District is self-insured for these benefits. Self-insurance means that the District, not an insurance company, pays the costs of the workers’ compensation claims. The District has contracted with Sedgwick, a third party administrator (TPA), for management of workers’ compensation claims. Workers’ compensation benefits include medical treatment, temporary disability benefits (percentage of salary) if the employee is unable to work during recovery, and permanent disability benefits if the injury results in permanent impairment. The California Education Code provides eligible employees up to 60 days of continued

salary in lieu of temporary disability benefits. If an employee remains temporarily disabled after 60 days of salary continuation, then the employee will receive the temporary disability benefits, supplemented by their accrued illness/vacation pay. The District has a state-approved Medical Provider Network (MPN). This is a network of physicians that provide medical care for workers' compensation injuries/illnesses. In most cases, an injured employee must receive medical care from a physician within the MPN.

Major changes include the implementation of Nurse Triage services and a new Medical Provider Network (MPN).

Nurse Triage Service for the workers' compensation program provides an injured employee with telephonic access to a registered nurse experienced in occupational injuries. The registered nurse will provide the injured employee with care recommendations for their injury. If a medical evaluation is recommended, the registered nurse will identify a medical provider and schedule the appointment for the injured employee. Nurse Triage services include follow-up contact with the injured employee, within 36 hours of the initial encounter. Use of Nurse Triage services is optional for the injured employee.

Beginning February 1, 2016, the District will have a new state approved Medical Provider Network of physicians experienced in occupational injuries.

Administrator Responsibilities:

1. Assist the employee in obtaining medical care.

Emergency medical situations: If emergency medical care is required, immediately call 911.

Non-emergency medical situations:

2. Provide the employee with the Workers' Compensation Claim Form (State of California, DWC 1) and Medical Authorization Form.
3. Investigate the injury.

Investigate the injury as soon as possible and complete the Injury/ Incident Investigation Report.

NOTE: The Injury/Incident Investigation Report is part of the ISTAR reporting system.

4. Report the Injury/Illness to the District's TPA.

Employee Responsibilities:

1. Immediately report all work related injuries/illnesses to a supervisor/manager.
2. Comply with all District absence policies such as submitting Requests for Leave of Absence if absence extends beyond 20 days and notifying the work location of an absence.
3. Complete Workers' Compensation Claim Form (DWC-1), Salary Continuation Benefit Verification Form, and the Claim Withdrawal Form if you choose not to file a claim.
4. Return to work after treatment and provide work status report to the Food Service Manager/Supervisor.

Time Reporter Responsibilities:

1. Report the entire day of injury as regular time.
2. When an employee is absent from work because of a work related injury or illness, any time lost after the day the injury occurred should be reported as "FWC" for workers' compensation if the absence has also been designated as FMLA.

The "FWC" code should be used until the employee's FMLA time is exhausted.

3. If the employee is not eligible for FMLA, or has exhausted their FMLA time, report time off as "WC". The actual decision as to whether workers' compensation time is paid is made by Sedgwick and communicated by Sedgwick directly to Payroll Services. If the time off is not authorized as temporary disability by Sedgwick, it will be charged against the employee's illness time.
4. Report time off for depositions as regular time.
5. Report time off for court appearances as personal necessity.

All required forms can be found in the attachments or at <http://disabilitymanagement.lausd.net>.

AW. Workplace Harassment Prevention Training

BUL 4214.2, Workplace Harassment Prevention Training, dated February 29, 2016, replaces BUL 4214.1, Workplace Harassment Prevention Training, dated

May 1, 2008, mandates that all supervisors complete at least two hours of sexual harassment prevention training every two years. New supervisors must also complete the training within six (6) months of becoming a supervisor. The revision reflects the addition of training content that covers prevention of abusive conduct and a recently issued Bulletin that serves as a resource.

In order to comply with this law, the Organizational Excellence Training Branch in partnership with the Office of the General Counsel is providing several options for LAUSD supervisors and administrators to receive Workplace Harassment prevention training.

1. Online Course
2. Live Training at Beaudry Central Office
3. Site Visit Training

Regardless of the option chosen, each program helps provide the practical skills needed to effectively manage employment law risks, reduce conflict, and improve employee performance, and will also ensure that supervisors and LAUSD are in compliance with Gov't Code § 12950.1. The training sessions can be completed in approximately two (2) to two-and-a-half (2 ½) hours.

The District is committed to a safe, respectful and productive work environment. Our workplace policies are created not just to protect our organization and to comply with employment laws, but also to benefit our employees. In providing managers with this training, it is our goal to both enhance your leadership skills and make the District a better place to work.

AX. Workplace Violence, Bullying, and Threats

BUL 5798.0, Workplace Violence, Bullying, and Threats (Adult-to-Adult), dated July 16, 2012, replaces BUL 5610.0, Workplace Violence, Bullying and Threats (Adult-to-Adult), dated September 29, 2011. The District is committed to providing a safe and civil working environment. In order to fulfill the District's mission, it is essential that all LAUSD employees are able to work in an environment that is safe and free from acts of intimidation, threats of violence or actual violence. No employee shall be subjected to retaliation, reprisal, or disciplinary action for reporting acts pursuant to this policy.

All District employees and associated persons are expected to adhere to the Board of Education's Resolution to enforce the **Respectful Treatment of All Persons (October 10, 1988)**:

The Los Angeles Unified School District reaffirms its policy that students and adults in both schools and offices should treat all persons equally and respectfully and refrain from the willful or negligent use of slurs against any person on the basis of race, language spoken, color, sex, religion, handicap,

national origin, immigration status, age, sexual orientation, or political belief..." (see Attachment G, Board Resolution)

Any individual who commits acts of violence or threatening or disruptive behavior in the workplace may be subject to removal from the premises, subject to disciplinary action and/or subject to criminal penalties. Non-staff members who engage in violent, threatening or disruptive behaviors may forfeit permission to remain on-site. This action may be taken when there is reasonable cause to believe that such person has willfully disrupted the orderly operation of such campus or facility. This policy encompasses behaviors or actions by District employees and associated adults (e.g., parents, campus volunteers, and vendors). The policy is applicable to all schools, at District and school related activities and at all areas within the District's jurisdiction.

The purpose of this bulletin is to outline administrative procedures governing workplace violence, bullying and threats involving employees and associated adults. The District prohibits violence, bullying and threats by or against any District employees, parents, or persons doing business with or for the District. Workplace violence disrupts the learning and working environment, undermines productivity, and results in significant human and fiscal costs. Threat assessment and threat management in the workplace is recognized as a challenging and dynamic process that calls for responses and interventions from administration, staff, law enforcement and the school community.

I. General Rules of Conduct

A. Work Schedules and Breaks

1. Employees should not arrive for work more than 15 minutes before the beginning of their scheduled time, unless authorized by the FSM, immediate supervisor, and/or the AFSS.
2. The FSM/AFSS or immediate supervisor will determine the employee's work schedule, time the employee must report to work, take authorized breaks and lunch periods.
3. Employee's assigned hours will be adjusted according to the needs of the school/Division. Notification of changes in assigned hours will be made according to the employee's Union contract.
4. Employees working four (4) hours are entitled to one 10 minute break during their shift so long as the break is not taken within the first or last hour of their work shift, 10 minute break for each four (4) hours worked. Employees working six (6) hours or more are entitled to one 30 minute duty free (unpaid) lunch period and two 10 minute breaks during their shift. The two 10 minute breaks may be combined into one 20-minute break but must be approved by the FSM /AFSS or Supervisor.

The following are some examples of work day assignments and rest/meal periods:

- 4 hours - one ten (10) minute break
 - 5 hours – one ten (10) minute break
 - 6 hours – two ten (ten) minute breaks, one thirty (30) minute meal period
5. Employees can meet with their union representative before or after their shift or during scheduled breaks outside the cafeteria work area or in authorized break areas.

B. Recordkeeping/Documentation Requirements

1. Employees are prohibited from theft, pilfering, forgery, falsification of records, or any other acts of dishonesty (including cheating on exams) in accordance with the Personnel Commission Rule 902.
2. In accordance with Food Services Division's *Banking Procedures* (<http://cafe-la.lausd.net/staff/financial>), Food Service Managers (or the designated backup Food Services employee) must adhere to the *Banking Requirements and Procedures* and make bank deposits daily regardless of the amount collected unless you have received exception approval in writing from the AFSS and the Food Services Division Finance Section as documented on the *Exemption to Deposit Collections Daily* form.

Food Services Managers must have a completed, signed and approved form on file. Failure to make daily bank deposits may subject the responsible manager or employee to immediate suspension pending dismissal.

C. New Time Reporting and Periodic Certification

Food Services Division staff are funded by multiple funding programs, to meet Federal and State regulations regarding time and effort, staff are required to follow the new accounting process. The Personal Activity Report (PAR) is no longer necessary, it has been replaced with the Food Services Timesheet (FST) which will be kept and filed within the cafeteria. Food Services Division employees are required to complete the FST, in addition to the District time cards that are kept in the main office. Central office staff are only required to complete the District time card.

All employee funded by the School Nutrition Program (SNP) are required to fill out a periodic certification twice annually. Individuals complete the Periodic Certification, while the Blanket Certification should only be used for groups of employees with the same time period worked.

For reference, employees should refer to the New Time Reporting/Time Report training which can be found on the Café La website, under Human Resources, under

New Time Reporting/Time Reporting. The trainings provide more detail of the new process and examples of the new and modified documents required.

D. **Food Protection Manager Certification**

The classifications of Food Service Worker II, Sr. Food Service Worker, Food Service Manager series, and certain Central Office classifications are required by the Food Services Division and County Health Department to obtain and maintain a Food Safety Certificate as prescribed by the State of California (ServSafe).

All ServSafe training classes and testing will be carried out by FSD. A fee of \$43.50 will be paid by the Division which includes class registration and instruction, class materials, the examination and certification/certificate. Employees attending ServSafe training during normal business hours (Monday through Friday) will be paid their regular scheduled time/shift for the class. Employees will be allowed to re-test free of charge 1 additional time if they do not pass the exam on the first attempt.

All subsequent training classes and testing after the second attempt will be at the **employee's expense**. Additionally, employees will be required to **utilize their benefit time to re-take courses**. Tuition reimbursement will be allowed for additional classes. Employees, who wish to use tuition reimbursement, must apply under the District's plan for tuition reimbursement and are subject to the rules and procedures as described under their Union contract and *Classified Employee Handbook*

All required employees will be notified by the Food Services Division to renew their ServSafe certification prior to their certification's expiration. Failure to renew your certification prior to cancellation or failure to pass ServSafe certification will conclude in disciplinary action including, but not limited to, demotion to a lower class (if applicable) or dismissal from District service. Employees are **only able to retake the exam twice within 30 days**. Thereafter, an employee must wait sixty (60) days from the date of their last attempt, to take the exam again.

ServSafe classes and trainings are also provided to employees who are not required to possess certification at the employees own expense and must utilize benefited time if classes are taken during assigned work hours. Please contact your immediate supervisor if you are interested in enrolling in ServSafe.

E. **Cafeteria Management System (CMS) Directives**

Food Service Managers and assigned staff must comply with the following directives processes and/or procedures:

1. Current *CMS Training Module* (posted on the Food Services Website);

2. SOP for *Back of the House (BOH)* and *Front of the House (FOH)* Escalation Process
 - a. EZ Steps must be completed weekly for two weeks out following the current CMS Ordering Calendar;
 - b. Orders are completed following the current CMS Ordering Calendar;
 - c. Production Worksheets must be printed weekly and completed and verified daily by Food Service Managers for all sites and all programs (Early Education Centers [EECs], Offsite) at each site;
 - d. CMS Production Records must be completed daily for all sites and all programs (EECs, Offsite) at each site;
 - e. Physical inventory must be counted by the last operating day of the month. Physical Inventory must be completed in CMS within two business days after the last serving day of the month;
 - f. Daily Entries for meal counts must be completed daily or the next day following receipt of the information for all non POS sites, off-sites, Saturday Programs, State Preschools, and EEC programs.
3. Food Service Managers must order according to the CMS Ordering Calendar posted monthly on the Food Services website;
4. Stock Transfers must be completed within CMS at the sending **and** receiving site;
5. All sites must review the ALL IN ONE reports daily. Reports do not need to be printed, but must be exported and saved in a folder under My Documents or the Desktop;
6. Complete the Order Goods Received for all vendors after delivery is verified and received.

II. **Attendance Expectations**

The contribution of each Food Services Division and District employee is critical to the efforts of reaching goals. While the vast majority of employees have a strong commitment to their work and have excellent attendance records, unnecessary absenteeism results in reduced productivity, loss of service, and significant costs to the Division and District. The Board of Education expects:

- Employees to work the number of hours they are assigned;
- Employees to be at their work stations on time;

- Employees to comply with legal, District Policies, and collective bargaining rules regarding reporting of absences and providing appropriate documentation;
- Employees to maintain regular attendance and avoid absenteeism;
- Supervisors are to explain and insist upon regular attendance, maintain accurate employee attendance records, monitor employee attendance, provide performance feedback to employees and enforce all employee attendance policies and standards through employee performance evaluations and discipline processes;
- The District will make every attempt to avoid scheduling activities that contribute to staff absenteeism.

The District seeks to assist administrators and supervisors in efficiently managing attendance, and improving employee effectiveness through reduced absenteeism by guiding employees in the appropriate use of illness and personal necessity time. Illness leave benefits are provided to ease the financial burden on employees who are unavoidably required to be absent from duty due to a legitimate illness or injury. Employees, who use illness leaves and personal necessity leave for unauthorized reasons violate District policy and related laws. Failure to comply with attendance policies can result in disciplinary action, up to and including termination (Board of Education Report No. 39 –0304 Adopted 7/13/04).

All employees should carry out the following attendance behavior:

A. **Time Reporting/Signing In and Out**

1. All employees are paid only for the time they actually work. Employees must sign in and out daily **using the actual time of arrival and departure** on the appropriate time reporting record. Salaried employees should sign in at arrival daily. Refer to the *Payroll Procedures* SOP for additional details.
2. Additional time and overtime **must be pre-approved** by the appropriate supervisor prior to working the time (*Additional Time* SOP and Collective Bargaining Agreements).
3. Food Service Managers must verify time records daily, certify payroll, and document any discrepancies **on the time record**. Managers must notify staff of any discrepancies as soon as possible to be corrected and/or explained.
4. Any changes implemented by the District will supersede these procedures where applicable.

B. When Calling In Absent

1. Employees must report absences to their immediate supervisor. Each employee must contact the FSM/AFSS or immediate supervisor at his/her school/facility/office **personally** except in the case of an emergency. In case of an emergency the employee's nearest relative/friend may initially call, however, the employee shall make every effort to contact the FSM/AFSS or supervisor personally as soon as possible.
2. A school based Food Services employee must report absences no later than two (2) hours before the start of his/her shift in order for the FSM/AFSS or immediate supervisor to obtain coverage for that day. Employees', whose shift starts at the beginning of the school/office day, must report absences as early as possible, but no later than within the first hour of the employee's shift.
3. The employee must report his/her absence **every day**, unless the employee's health care provider has specifically placed the employee on a documented absence or an extended leave. **It is the responsibility of the employee** to ensure that all certification of absence forms and leave of absence documentation is submitted to their immediate supervisor. Failure to report absences daily or submit appropriate documentation may warrant disciplinary action.
4. FSM/supervisors must report absences to his/her AFSS and **Principal** or designated administrator. This includes partial-day absences.
5. All employees must record all absences on the Food Services Timesheet and District timecard and complete a *Certification/Request of Absence for Illness, Family Illness, New Child, Form No. 60.ILL*. The form must be turned in for approval and submitted to the timekeeper for validation and input.
6. Permissive leaves are granted at the discretion of both your location and your division head or local district superintendent. All permissive leaves must be approved prior to the beginning date of the leave. Your supervisor or the Classified Employment Services Branch will notify you if your leave is disapproved or if it has been determined that you are not eligible for the leave requested.

C. Procedure for Returning to Work After an Absence

1. When an employee is absent and plans to return to work the following day, the employee must place a call to the FSM/AFSS or Supervisor at least **one hour** before end of his/her regular work day.

2. When a substitute has been assigned and an employee fails to follow the procedure in number 1, the substitute will be retained and the employee will be sent home unpaid for that day,
 - a. Example: You are absent on **Monday** and **Tuesday** and you intend to return to work on **Wednesday**. Your shift ends at **1:00 p.m.** Therefore, you must call to inform the manager/supervisor that you are returning **NO LATER** than **Tuesday** at **12:00 p.m.** If you fail to follow this policy/procedure you may be sent home (unpaid) when you report to work on **Wednesday**.
3. An employee absence from duty for any illness, injury or surgery (including workers' compensation) for more than five (5) consecutive working days, shall be required to submit a signed attending physician's statement or appropriate health form to the FSM/AFSS/immediate supervisor or HR Department. Additionally, employees must submit a completed *Food Services Division Health Appraisal Form* which clears a Food Services Division employee to work around food prior to returning to work.
4. Employees absent for more than 20 consecutive workdays must comply with the Personnel Commission Rule (PC Rule 803, Section D) and submit a *Leave of Absence Request for Classified Employees* (PC Form 5006) along with any supporting documents as required. Failure to do so will place the employee on absence without leave (AWOL) status and possibly subject the employee to dismissal from District service. Employees are required to complete an Intent to Return to Work (PC Form 50xx) upon their return to work from an approved Leave of Absence and submit the completed form to the Personnel Commission prior to returning to their assignment.
5. Individuals returning with or without work restrictions must first be cleared to return by their immediate supervisor. All work restrictions of lifting more than 10 pounds may be accommodated in the same location or other Division locations. This will be determined by the AFSS, immediate supervisor, and/or HR Department.
6. The AFSS/immediate supervisor and/or the HR Department may refer employees to an appropriate licensed District physician if they suspect injury to his/herself or others could occur while at work. Employees returning from an absence may not need clearance from a District physician. As an example, an employee returning to work after an absence due to the flu may only need clearance from the school nurse. An employee returning to work from a surgery may need clearance from a District physician in order to determine if the employee can perform the essential functions of the job. The immediate supervisor may need to ask clarifying questions of the employee utilizing caution as to not violate their privacy.

D. **Personal Necessity Definitions**

The usage of Personal Necessity (PN) is **outlined within your Collective Bargaining Agreement (CBA) and District Classified Employee Handbook.** Immediate supervisors are encouraged to ask clarifying questions of an employee requesting PN time in order to determine if the request qualifies. PN (6 days) time is deducted from accrued Full Paid Illness time and in most cases must be approved prior to being taken. The following reasons may entitle you to use personal necessity:

1. Death or serious illness of a member of the employee's immediate family. Immediate family is defined as parent, grandparent or grandchild of the employee or the employee's spouse, child (including foster child), brother, sister, daughter-in-law, or son-in-law of the employee, or any relative living in the immediate household of the employee (Refer to individual Collective Bargaining Agreements for additional information).
2. Two (2) occasions up to a total of eight (8) hours to attend the funeral of a close friend or relative not included in the definition of immediate family.
3. Accident involving the employee's person or property.
4. Birth of the employee's child.
5. Adoption of a child.
6. Religious holiday of the employee's faith.
7. Imminent danger to the home of the employee due to a disaster such as flood, fire, or earthquake.
8. Other significant event of a compelling nature to the employee, the gravity of which is comparable to the above, which demands the personal attention of the employee during assigned hours and which the employee cannot reasonably be expected to disregard, limited to one (1) occasion in any school year.
9. Two (2) hours for verifiable automobile failure only if the auto is required for work (see contract).
10. Employees **are not allowed** to utilize personal necessity for automobile failure that may occur while employees' are on their way to work prior to starting their shift or departing from work after completing their shift.
11. Appearance in court or administrative tribunal as a litigant or as a witness under an official governmental order for which salary is not otherwise permitted provided:

- a. Each day of necessary attendance must be certified by the clerk or other authorized officer of the court.
 - b. In cases which a witness fee is payable, such fee shall be collected by the employee and remitted to the Accounting and Disbursement Division.
 - c. The employee must return to work in cases where it is not necessary for him to be absent the entire day.
12. One day is allowable to be taken for registration or final examination in District recognized institutions of higher learning.
13. One day is allowed for attendance at the school of the employee's own child, ward, or grandchild for purposes of school activities as provided by Labor Code Section 230.8.

E. **Kin-care**

Under Kin-care, employees **may use six (6) days** of paid sick leave for an ill parent, child, spouse, or registered domestic partner so long as they have full-pay illness hours available.

- Every January, employees receive a new set of Kin-care days; for most employees that would be six (6) Kin-care days for the year.
- Kin-care is not to be used for bonding with a new child, unless the child has an illness, injury, or medical condition.
- Rules for requiring the employee's medical verification under Kin-care are the same as the District's policy for personal illness (based on the contractual language for that employee's classification, the District may find it reasonably necessary to verify the absences).

F. **Excessive Absenteeism and Tardiness**

In order to efficiently serve students nutritious meals in the time allotted for breakfast, nutrition and lunch, staff must work as a team. When a team member has an absenteeism or tardiness problem, substitutes may need to be called in place of the absent worker. The substitute may not be familiar with that school's operation and portions of the work must be absorbed by other workers which can create a hardship on the cafeteria operation.

Employees who display a pattern of excessive absenteeism and/or tardiness will be subject to disciplinary action up to and including dismissal. **During the probationary period, attendance (absenteeism and tardiness) will be monitored carefully to determine whether an employee will be able to pass probation.** Initial probationary employees **may not use more than six (6) illness/personal necessity or unpaid days during the 130-day probationary period.** Absences in excess of six (6) days may result in denial of permanent status. The probationary period will

be extended in the event that an employee takes a protected/unprotected mandatory leave of absence during their probationary period.

Vacation is an accrued benefit and normally will not be authorized during the probationary period; however, exceptions must receive the approval of the FSM, AFSS or designated supervisor.

G. Pattern of Excessive Absences

Since attendance reflects an employee's overall work habits, employees that have a pattern of excessive absences and/or tardiness may be marked "Below Standards" in the area of "Work Habits" and "Overall Work Performance" on his/her performance evaluation.

The Division may require verification of an employee's absence from the employee's health care provider when it reasonably suspects abuse for any claimed illness, injury or disability absence, or when it deems it necessary for health and safety reasons (as noted in the employee's Union contract). In addition, any condition listed below may require that the employee provide a licensed physician's excuse upon the request of the FSM /AFSS or designated supervisor. The following general guidelines are considered when determining whether or not an employee's absenteeism is excessive (below standards).

1. Frequent short term absences (e.g., one or two days per pay period).
2. Illnesses are patterned (e.g., on Monday or Friday, just before or after a three-day weekend or payday).
3. Illness occurs immediately before or after employee counseling, negative performance evaluation, or discipline.
4. Illness occurs at the time of scheduled tasks which the employee is known to dislike performing.
5. The employee consistently uses his/her allotment of full pay illness or personal necessity resulting in frequent absences that negatively impact the operation.
6. When vacation is requested and denied for a specific date and the employee calls in ill on that day.
7. Absence occurs immediately before or following a scheduled vacation, or unassigned period.
8. There are circumstances when an employee who normally has a good attendance record may experience an attendance problem temporarily. The employee may need to take advantage of a leave of absence (Family Medical Leave Act [FMLA] or California Family Right Act [CFRA]). If a situation like

this occurs, the employee should be offered the appropriate leave and associated forms. Performance Evaluations for these employees should be reviewed with the AFSS or next level designated supervisor to determine if a below standard rating is appropriate.

H. **Doctor Appointments (Routine & Preventive)**

Pursuant to the Union Contract, appointments for “illness, injury or quarantine” shall be paid under illness leave. Employees that work less than eight (8) hours per day should schedule all appointments for routine or preventive medicine and dental before or after work where possible.

I. **Summer Work Assignments**

Summer applications must be completed on-line in the Food Services Summer Application Tool by every school based and Newman Nutrition Center employee whether you wish to work in the summer or not. Employees who have submitted a summer application and requested to work a summer assignment by the deadline set by the Division, will be considered for summer employment. Attendance, overall work performance, and operational needs are used to evaluate eligibility for summer assignments for Food Services employees unless otherwise specified by specific Collective Bargaining Agreements.

IV. **Information Regarding Workers’ Compensation**

Pre-Designation of Personal Physician:

Employees wishing to designate their own personal physician to treat workers’ compensation injuries **must complete a Pre-Designation of Physician Form prior to any workers’ compensation injury occurring and file it with the Human Resources Department of the Food Services Division.** If designation is not on file, employees will be treated by a doctor in the District’s Medical Provider Network (MPN). Pre-designation forms and the other forms discussed below may be obtained from the FSD website at <http://cafe-la.lausd.net>, click Food Services Staff, click Human Resources, and click Workers’ Compensation. You can then select the forms needed.

A. **Employee’s Responsibilities**

ALL injuries, regardless of the severity, shall be reported to the FSM/AFSS or other immediate supervisor **immediately** after the injury occurs. If the FSM/AFSS or supervisor is unavailable, the employee should inform the first available individual of authority. Employees who fail to report accidents within 24 hours may be subject to discipline unless the case is an extreme emergency. Please be aware that FMLA protection (if eligible) is not automatically designated for workers’ compensation claims, a properly completed FMLA form must be submitted to the Food Services Division. **If professional medical attention is required, the employee must:**

1. **Complete the employee’s portion of the *Workers’ Compensation Claim form* (DWC 1) as to how the accident occurred and return it as soon as possible.**

2. **Obtain a *Medical Authorization form*** from his/her manager authorizing medical services to be rendered by an MPN doctor. An employee who pre-designated his/her own physician may seek medical attention with that physician.
3. **Go to the specified medical facility** listed on the Medical Authorization or Pre-Designation form for treatment.
4. If physically capable, return to the work site and **submit the *Doctor's Work Status Report to the FSM, AFSS or immediate supervisor***. If the employee is unable to return to the site due to the seriousness of the injury, a family member or friend may bring the *Work Status Report or medical documentation* to the FSM, AFSS or immediate supervisor the next business day after receiving medical treatment. The employee may also fax or mail the *Work Status Report* to his/her appropriate supervisor.
5. **Obtain a *Salary Continuation Benefits Verification form*** if the employee is required to make appointments during working hours so time can be properly paid under workers' compensation. All appointments must be made at times that will least impact the cafeteria or office and business operation.

B. Reasonable Accommodation

The Food Services Division will make every effort to accommodate an employee's limitations and restrictions due to illness and injury. This allows the employee to continue working while also protecting him or her from further injury. The AFSS or immediate supervisor must review all work restrictions below 10 pounds prior to informing an employee that the District is unable to accommodate an employee to return to work. There are instances when accommodations will be made by assigning staff to a different work location temporarily.

C. Food Service Manager's/Immediate Supervisor's Responsibilities

When an employee notifies the Manager/Immediate Supervisor of his/her injury, the Manager/Supervisor must:

1. Immediately **call 911 if an injury is serious and requires emergency medical attention**. Otherwise, provide first aid supplies/treatment as necessary where possible or the employee may be sent to the school nurse for first aid treatment and/or assessment when possible.
2. **Notify the AFSS, immediate supervisor, and Administrator** if an employee requires professional medical treatment, **within one hour** of the accident or injury regardless of the time of day or night.

3. **Within 24 hours**, give the employee the DWC 1 form to complete. If the employee does not return to work within 24 hours, the form must be mailed.
4. **Complete the Employer's portion of the DWC 1 Form** upon receipt of the DWC 1 form from the injured employee
5. **Complete and provide a Medical Authorization Form** authorizing medical treatment if the employee requires (or requests) professional medical treatment. Print and sign the *Temporary Pharmacy Card* and provide it to the employee
6. **Conduct an investigation**, even if the incident does not need to be reported to Sedgwick CMS. Obtain a written statement from the injured worker and all witnesses, using the *Witness Statement* form.
7. **Within 24 hours, report all injury incidents into ISTAR** by going to <https://sopsincidents.lausd.net> (ISTAR), click to enter your single sign on name and password and follow the prompts to enter the information.
 - a. Please ensure that you select Injury as the issue type and complete all fields within each tab. Click "save" on the bottom left hand side when going through each tab. Do not click "Submit Report" until the entire record (five (5) tabs) has been completed.
 - b. A separate ISTAR report must be completed for each injured persons.
8. **Immediately provide the Claim Withdrawal Form** to all injured employees, who choose not to seek medical attention after sustaining a work related injury. Employees, who have completed a Claim Withdrawal Form, are entitled to seek medical attention within one year of sustaining a work related injury.
9. **Only if the employee sees a doctor**, should you call in the injury to Sedgwick at: 1-800-LAUDWC (800-528-7392) within 24 hours. Make sure that the Workers' Compensation Injury Report Worksheet contains all the information needed to be able to answer the questions Sedgwick will ask.
 - a. According to California Occupational Safety and Health (OSHA), *a reportable injury includes treatment (other than first aid) administered by a physician or by registered professional personnel under the standing orders of a physician. Medical treatment does NOT include first aid treatment (one-time treatment and subsequent observation of minor scratches, cuts, burns, splinters and so forth, which do not ordinarily require medical care) even though provided by physician or registered professional personnel*
10. **Within 24 hours, complete the Work Related Injury Checklist** and forward the form to your immediate supervisor

11. **Once an employee is ready to return to work** the FSM, AFSS or immediate Supervisor must receive medical documentation from the employee that states the employee is released to return to work with or without restrictions. If the employee is absent more than five (5) days, the employee must be evaluated by a District doctor at a contracting medical clinic or school nurse to make sure that he/she can work around food. A *Health Appraisal* form must be completed by the doctor or nurse in order for the employee to return to work.
12. **If the employee is off work for more than three (3) days** due to illness or injury, send FMLA paperwork to the employee and maintain a copy for your records.
13. As discussed previously, the Food Services Division makes every effort to accommodate temporary restrictions. The FSM, AFSS, or immediate supervisor shall Discuss with the employee any accommodations that can be made and complete a Transitional Work Assignment Plan. The FSM, AFSS, or immediate supervisor should follow-up with the employee at the end of his/her transitional work assignment
14. Ensure that the employee works within his/her restrictions on a daily basis and provide the assistance necessary to comply with the accommodations agreed upon in the Transitional Work Assignment Plan.

D. Area Food Services Supervisor, Food Production Manager, and Central Office Supervisor/Manager Responsibilities

Upon notification of an industrial injury, the Supervisor and Manager must:

1. Ensure that all the required steps in the section for FSM/immediate supervisor's responsibilities above were performed;
2. Meet with the employee's manager or supervisor to discuss preventive measures and corrective action/discipline to be taken if necessary. If the *injury was a result of a practice in violation of a Food Services Division or District policy, or clearly an unsafe practice or behavior*, the supervisor must retrain the employee and issue the employee a counseling document for working unsafely. If the employee or manager or person responsible reported the injury late due to negligence, the Supervisor or Manager must issue the individual a counseling document for failing to follow Food Services Division procedures;
3. **Review all industrial injuries requiring professional medical attention in the Safety Committee Meetings.** The AFSS and Food Production Manager will ensure that the Food Service Manager and Safety Committee take the necessary steps to correct any hazardous conditions and/or practices that are outlined in the investigation report;

4. When an employee submits restrictions and can be accommodated: ensure that the appropriate supervisor completes a *Transitional Work Assignment Plan* for the employee.

V. **Leaves**

Leave of Absence for Classified Employees:

The ***Leave of Absence Request for Classified Employees form*** and supporting documents (if applicable) must be submitted for all leaves over 20 consecutive work days. Additional paperwork is also required for mandatory leaves which include, but are not limited to, workers' compensation, Family & Medical Leave Act (FMLA)/ California Family Rights Act (CFRA), Pregnancy Disability Leave (PDL), and Bonding Leave for the birth of a child or the placement of a child for adoption or foster care.

Note: *The Leave of Absence packet is available at <http://cafe-la.lausd.net>, click Food Services Staff, click Human Resources, and Leave of Absence; or you may access the form directly from the Personnel Commission website at <http://achieve.lausd.net/Page/2135>, click on Forms on the left hand side, and select Leave of Absence Packet.*

Family Medical Leave Act/California Family Rights Act:

BUL 1205.4, Family and Medical Leave Act/California Family Rights Act Policy, dated February 28, 2019 replaces BUL 1205.3, Family and Medical Leave Act/California Family Rights Act Policy, dated October 5, 2015 describes the FMLA and CFRA laws that assist employees in balancing their work and family lives. When an employee's family needs them to provide necessary care or they are struggling with their own health issues, the eligible employee is provided with protections and rights for qualified absences.

- Protection from disciplinary action for FMLA/CFRA-designated absences;
- The right to return to their original position or the equivalent; and
- The continuation of paid health benefits during the employee's protected leave of absence

The employee has the responsibility to:

- Confirm FMLA/CFRA information in writing by submitting the appropriate documentation in a timely manner;
- Give 30-day notice or as much advance notice as possible regarding absences;
- Whenever possible schedule medical appointments before or after assigned hours to minimize disruption to site operations.
- Follow FSD procedures for reporting absences and returning to work;
- Notify their immediate supervisor of FMLA/CFRA designated absences at the time that s/he calls in, and identify the specific FMLA/CFRA designation when the employee has more than one FMLA/CFRA designation in effect.

1. Duration of FMLA and CFRA

FMLA and CFRA provide eligible employees:

- a. **Up to 12 weeks** of protected absence or leave per year when the employee or a covered family member experiences a “serious health condition” (see definition under section 3); or when an employee requests time to bond with a child after the child’s birth, adoption or placement in foster care with the employee;
- b. **Up to 26 weeks** when a family member is injured in any branch of the Armed Forces, or **up to 12 weeks** for non-medical and non-routine reasons when a family member is in the National Guard or Reserves or is a retired member of the Armed Services and is called to active duty. The employee may then be eligible for FMLA/CFRA protected absences for certain events or activities arising from the family member’s deployment, such as issues regarding childcare, financial and legal arrangements, and counseling, as well as post-deployment activities or the death of the covered military member;
- c. **More than one FMLA/CFRA designation at a time**; however, the maximum period of time remains 12 weeks per year, except in the cases of Pregnancy Disability Leave and Military Family Leave. Employees are entitled up to 18 weeks of protected time under the California Pregnancy Disability Leave and 26 weeks of protected time under Military Family Leave.
- d. **Protection for absences** that may be continuous, intermittent (periodic), or in the form of a reduced work schedule (only the time absent from work is counted toward FMLA/CFRA).

2. Eligibility Requirements

- a. To qualify for FMLA/CFRA protections, an employee **must** have been employed by the District for at least 12 months and have worked at least 130 work days prior to the beginning of the FMLA/CFRA qualifying absence. The 12 months of employment need not be consecutive and may include temporary work.
- b. Pregnant employees are eligible for Pregnancy Disability Leave protection the date that they notify the immediate supervisor of their condition. FMLA protection (if eligible) will be automatically designated for all pregnant employees upon receipt of medical and/or leave documentation.

Note: *Pregnant employees are also required to submit a Leave of Absence Request for Classified Employees when a leave of absence for more than 20 consecutive work days is expected and their health care provider substantiates that they are physically unable to work.*

3. Definition of a Serious Health Condition

A serious health condition or qualifying event is an illness, injury (including, but not limited to, on-the-job injuries), impairment, or physical or mental condition that involves inpatient care, overnight hospital stay or continuing treatment by a health care provider for conditions that cause periods of incapacity or require multiple treatments or therapy. Such conditions include, but are not limited to, pregnancy, prenatal care, chronic or long-term conditions, and care following surgery or an injury. FMLA and CFRA may provide protections for absences due to the serious health condition of the employee or a qualified family member of the employee.

4. Qualifying Events

Circumstances that may qualify for FMLA and/or CFRA protections are:

- a. The employee's own serious health condition, including industrial injuries (workers' compensation);
- b. To care for the employee's family member with a serious health condition:
 - Spouse
 - Parent
 - State-registered same-sex domestic partner
 - Child under the age of 18 unless he or she is incapable of self-care due to a mental or physical disability;
 - The employee's incapacity due to pregnancy, prenatal care, birth of the employee's child, and bonding with the employee's child;
 - Child bonding for the placement of a child with the employee for adoption or foster care;
 - To care for a family member (parent, spouse, son, daughter, or next of kin) in any branch of the military injured during active duty, or for qualifying non-medical/non-routine reasons when a family member (parent, spouse, son or daughter) who is a retired member of the Armed Services or a member of the National Guard or Reserves is called for active duty.

5. FMLA/CFRA Designation

The employee is responsible for providing their immediate supervisor with sufficient information regarding a possible FMLA/CFRA qualifying absence or event. Once the immediate supervisor receives the information and gives the employee the FMLA/CFRA Certification of Health Care Provider packet of forms, the employee must return the completed form to their immediate supervisor within 15 calendar days. Failure to provide the requested information within 15 days may result in the denial of protections for an employee's absences, and subject those absences to consideration for employee disciplinary action.

The employee must:

- a. **Follow FSD procedures for reporting** absences and returning to work;
- b. **Notify their immediate supervisor** of FMLA/CFRA designated absences at the time that s/he calls in, and identify the specific FMLA/CFRA designation when the employee has more than one FMLA/CFRA designation in effect.

***Note:** Providing an employee with a Certification of Health Care Provider form and information about FMLA/CFRA once within the school year is considered notifying the employee of their rights and responsibilities under FMLA/CFRA. Employees may obtain FMLA/CFRA forms and information at the Food Services Division website <http://cafe-la.lausd.net> for Food Services staff, in the Human Resources section, under Personnel Management & Discipline. The forms can also be accessed from the District's FMLA website at <http://achieve.lausd.net/Page/586>, under Resources/Forms.*

FMLA/CFRA is designated by the Food Services Human Resources Personnel Unit once a completed Certification of Health Care Provider form is received and the information provided is evaluated. Once a determination is made, notification will be mailed to the employee's home address, with copies sent to their immediate supervisor and the appropriate time reporter.

FSD HR Department may:

- a. Contact the employee's health care provider directly for clarification or verification.
- b. Request recertification more than once a year if the employee's absences are not consistent with the information indicated by the health care provider and or doctor. For example, additional time is needed for the current certification form, either in duration of condition or amount

of leave needed, the employee must provide a new completed certification form.

- c. Deny FMLA/CFRA protections if the Certification of Health Care Provider is submitted more than 15 days after Food Services Division' request for medical certification, or the information provided is incomplete, insufficient or contradictory. The employee has the responsibility of resubmitting the documents with the correct or clarified information.

6. California Paid Parental Leave

BUL. 6861.0, California Paid Parental Leave, dated May 5, 2017. Formerly referred to as "maternity leave" and now, more commonly referred to as "baby-bonding" or "bonding leave" refers to leave for reason of the birth of a child of the employee, or the placement of a child with an employee in connection with the adoption or foster care of the child by the employee.

To be eligible for paid leave an employee must:

- a. be a classified or certificated employee. Substitute employees, temporary employees, and unclassified employees are not eligible for paid parental leave benefits.
- b. have been employed by LAUSD for at least 12 months over the past seven (7) years, including part-time employees.
- c. have exhausted all available illness time, and continues to be absent from his or her duties on account of parental leave.

Duration of paid parental leave

- a. Eligible employees are entitled up to 12 workweeks of paid parental leave to be utilized during the first year following the birth or placement of a child with the parent through adoption or foster care.
- b. Twelve workweeks mean the equivalent of 12 of the employee's normally scheduled workweeks.
- c. Parental leave does not have to be taken in one continuous period of time, subject to some limitations under CFRA. Under CFRA regulations, the minimum duration of the leave shall be two weeks except that the District must grant a request for leave of less than two weeks' duration on any two occasions. No half days or reduced schedules are allowed.

Paid parental leave runs concurrently with FMLA/CFRA leave time. The 12-workweek paid parental leave entitlement is reduced by any period of time used for any other CFRA qualifying reason.

- d. If the District employees both parents, the District limits the period of paid parental leave to 12 total workweeks to be shared between both parents.

Compensation

- a. An employee may use his or her illness leave for purposes of paid parental leave for a period of up to 12 workweeks.

If an employee exhausts all available illness time, including all accumulated illness leave, and continues to be absent from his or her duties on account of paid parental leave, the employee will be compensated at a rate of 50 percent of his or her regular salary (“partial pay”) for the remaining portion of the 12-workweek period of paid parental leave. An employee who does not exhaust all of his or her available accrued illness time is ineligible for, and cannot access, the “partial pay” benefit.

- b. While out on paid parental leave, the employee continues to be entitled to receive any applicable health benefits for which the employee is otherwise eligible.

Administrator Responsibilities

Administrator responsibilities are those mandated under FMLA/CFRA per LAUSD BUL-1205.4, Family and Medical Leave Act/California Family Rights Act Policy.

- a. Identify a potential need for FMLA/CFRA absence (parental leave);
- b. Determine eligibility;
- c. Request appropriate absence forms and required documentation;
- d. Designate the absence as FMLA/CFRA approved; and
- e. Track amount of time used (maximum of 12 workweeks each FMLA/CFRA Year). An employee may use his or her illness leave for purposes of paid parental leave for a period of up to 12 workweeks.

Employee Rights

If an employee qualifies for FMLA/CFRA and paid parental leave, the employee will have the following rights while on leave:

- a. Leave will not constitute a break in service for purposes of establishing longevity or seniority, or for layoff, recall, promotion, job assignment, or seniority-related benefits.
- b. Maintenance of health benefits during any period of parental leave under the same conditions as if the employee had continued to work.
- c. Reinstatement to the same or equivalent position upon return from FMLA/CFRA leave, subject to seniority rules in the event of layoffs in the employee's position. If the leave extends beyond the end of the employee's FMLA/CFRA entitlement, the employee does not have return rights under FMLA/CFRA.
- d. An employee may use his or her illness leave for purposes of paid parental leave for a period of up to 12 workweeks.

Employee Responsibilities

If an employee qualifies for FMLA/CFRA leave and paid parental leave, the employee will have the following responsibilities while on leave:

- a. Provide Site Administrator with 30 days' advance notice of the need to take parental leave when the need is foreseeable.
- b. When the need for leave is not foreseeable, the employee is expected to notify the Site Administrator as soon as is practicable based upon the facts and circumstances.
- c. Comply with the usual and customary call-in and reporting procedures in accordance with their work location and Collective Bargaining Agreement. An employee may use his or her illness leave for purposes of paid parental leave for a period of up to 12 workweeks.

VI. Employee Health Policy

The Employee Health Policy is part of the LAUSD Food Services Division HACCP Manual as required by the USDA. According to this policy, **all Food Services employees must report to work in good health and be free of communicable or other infectious diseases**, including but not limited to: bronchitis, colds, fever, flu, gum infection, infected cuts and sores, acute intestinal disorders, jaundice, skin eruptions and sore throat. Any signs or symptoms of illness must be reported to the FSM, AFSS or other supervisor immediately. Any Food Services employee who shows signs of such illnesses either will be asked to leave work or if available, may be assigned duties in non-food preparation areas. Volunteers and/or student workers showing signs of such illnesses will not be allowed to work within the cafeteria (SOP HACCP #1-1 *Employee Health*).

A. **Food Handler's Health Certificate**

Food Service Managers and Newman Nutrition Center Supervisors have the responsibility to ensure that every employee and volunteer (adult and student) obtains a physical examination and receives a *Food Handler's Health Certificate* from the School nurse or authorized District Doctor. At the start of each school year and:

1. When an employee who has been on a medical leave returns to work (including workers' compensation).
2. When any new employee or student (new to the District) begins to work at their facility.
3. Employees reassigned to a new worksite and have a current Health Certificate, should take their current card with them to the new site.

VII. **Safeguarding District Property**

A. **Safeguarding Food, Supplies and Equipment**

Federal, State and local laws and regulations **prohibit** Food Services employees from doing the following other than when specifically authorized by the Division, AFSS, or other supervisor with the authority to do so:

1. Provide equipment or space to the school staff (including Administrators) for the storage or heating of meals brought from home or other outside areas due to safety and sanitation requirements.
2. Use leftovers at the next meal service. Exceptions are made for uncut whole fruit, shelf stable packaged items (e.g. packaged graham crackers, packaged salad dressing) or unopened milk properly handled. All leftovers must either be destroyed or given to a non-profit agency with which the District has an approved contract. Any food that has left the cafeteria for service to an off-site program **may not** be reused or donated. It must be destroyed. This includes whole uncut fruit, unopened shelf-stable pre-packaged items and unopened milk and juice.
3. Provide access to the food preparation areas to individuals other than Food Services employees or persons specifically authorized by the AFSS or other supervisor with the authority to do so. Individuals, even those employed by the District, needing access to the restroom must use the outside entrance and exit.
4. Allow access to food storage areas by individuals other than Food Service Division employees for safety reasons, unless there is work being performed in

the area food must be securely stored and locked with only authorized personnel having access.

5. **Please note, on June 14th, 2011**, the LAUSD School Board passed a policy that allows non-profit organizations to obtain food that has been served and will not be consumed by students through the ***Food Donation Policy***. It is the responsibility of all Managers, AFSS and supervisors to review and familiarize themselves with the information regarding this program. The policy can be found on the Food Services website at: <http://cafe-la.lausd.net>.

B. Preventing Unauthorized Use of Food, Supplies and Equipment

The following policies are established to prevent the unauthorized use of food and other cafeteria supplies and equipment. Each FSM, Food Production Manager, and AFSS will be held responsible for informing their employees of these policies and procedures at least once a year and enforcing these policies on a daily basis. **Failure to observe or enforce these policies will be cause for disciplinary action up to and including dismissal.**

1. **Meal Allowance:** Employees are allowed one meal allowance per day, either a National School Lunch or Breakfast, including one beverage. All meal allowances and other food must be eaten in the school or Newman Nutrition Center dining or designated area. Any District food received that is not consumed at the lunch or break time may not be saved for consumption at a later time. Food Services employees may not take District food out of the designated dining area. Food Services Division food may not be stored in employee lockers or any other place (including off site) for consumption at a later time.

No one other than Food Services employees (including student volunteers), documented and authorized volunteers, and participants in the Breakfast in the Classroom Program, are allowed to be given free food. This includes school administrators, teachers, classified staff members, truck drivers, custodians, maintenance employees, school police officers and aides, parents, vendors and other members of the community. Food must be paid for by those adults authorized by the school principal to eat in the school cafeteria. Personal food **must not** be brought into the cafeteria for storage in commercial refrigerators or for cooking.

2. **Handling Leftovers:** Leftovers are defined as a remnant or unused portion of food remaining from a previous meal. The Food Service Manager must assess leftover foods and decide if these items are safe, of good quality and whether the food can be served at a later meal period. All leftovers deemed of good quality must be properly labeled and dated with “use by date” prior to being stored. All menu items are to be prepared fresh daily. All foods scheduled on

the menu for a particular meal must be prepared and served (Bulletin 4887.0 and SOP HACCP #4-11 *Handling Leftovers*).

Items leftover deemed un-servable must be assessed for safe donation. If they are not safe for donation, the food items must be properly discarded. It must **not** be put down the garbage disposal. Leftover food may only be given to **pre-approved District authorized non-profit agencies**. Leftovers should be minimized; over ordering and over producing should not consistently occur. Pre-packaged or self-contained bags or trays not deemed of the quality to donate must be opened and the contents thrown away.

Leftover food items that are to be re-served in the cafeteria must have been cooked, held, cooled and stored properly. For more details see: SOP #3-1 *Food Storage Procedures*, SOP #4-5 *Cooking Potentially Hazardous Foods*, SOP #4-6 *Holding Potentially Hazardous Foods*, SOP #4-7 *Cooling Potentially Hazardous Foods*, and SOP # HACCP 4-11 *Handling Leftovers*, Appendix #1, 2 and 3. If the food does not meet the SOP standards, it must be discarded.

All leftovers held for the next day must be prepared or reheated in accordance with HACCP specifications and served within 24 hours from the initial service date. Leftover food that has not been used within 24 hours of the original service date must be discarded. Only student menu items may be utilized as leftovers. Absolutely no food from non-LAUSD vendors may be used. Leftovers are to be served as an **addition** to the regular menu items when they are used.

Any non-shelf stable food item that has left the Food Services designated serving area and later returned may not be re-used and must be discarded (including food distributed to BIC, EECs, off sites, After School Supper and Snack Programs, etc.).

Leftovers may not be used in the preparation of another dish. **Example:** Leftover zucchini sticks may not be added to a salad to use them up. **All recipes must remain intact and may not be altered to utilize leftovers.**

All leftover food items must be recorded on the daily food production record as an addition to the regular menu items

It is the Food Service Manager's responsibility to train staff to follow the SOPs regarding handling leftovers.

3. **Transferring Food:** Transferring food from one school to another is discouraged and should only be done in an emergency (shortages, break-ins, power failures, etc.). For schools with CMS, reference SOP *Stock Transfers*. For schools with the CAFS system, the Manager providing the goods to be transferred must complete an itemized *Cost Transfer Form* (FSD Form

#0.38.3). The sending site must enter the information into CMS as a stock transfer. When transferring product from the sending site to receiving site the employee must have a copy of the Stock Transfer Sent with them. The receiving site must enter the stock received within the Stock Transfer screen once the items are delivered.

4. **Inventory & Supplies:** In order to reduce food losses from theft or spoilage, inventories of both perishable and non-perishable food are to be reduced before school recess periods to the absolute minimum possible. Shipment of food and supplies to other cafeterias may be necessary if authorized by the AFSS. Food Service Managers who invite theft and other loss by overstocking are subject to disciplinary action up to and including dismissal.

No cafeteria supplies, records (including ticket books and applications) or equipment are to be taken home by **anyone**. The removal of even empty items such as cans, bottles, buckets, aluminum pans, broken equipment, etc., which have a salvage value to the District, is not allowed. If you need assistance in this area, contact your AFSS or supervisor.

5. **Security:** Problems arising from the misuse or misappropriation of cafeteria food supplies, equipment, or any other property should be reported promptly to the school Principal, the Food Services Division, and School Police.
6. **Vendors:** No Food Services employee may accept gifts or make personal purchases from LAUSD Food Services Vendors.
7. **Outside Employment:** Food Services staff members may not conduct private business at the work site during, before or after work time.
8. **FSD Communication:** Please check your District provided email account on a regularly basis. The District and/or FSD communication will be sent via email and may require you to respond to directives. It is the responsibility of all District employees to ensure that their email's inbox is not full and capable of receiving District and/or FSD communication. Failing to regularly check your email and/or ensure that your email account is able to receive email correspondence, will not exempt you from being responsible for knowing about information and/or responding to email requests. Failing to respond to directives (listed within email requests) may lead to disciplinary action.

C. **Safeguarding District Keys**

Food Services employees may be issued District keys and it is crucial to safeguard these items. When keys are lost or misplaced, an ISTAR Report must be entered by the AFSS/School Administrator/immediate supervisor. Lost keys will be investigated and may result in disciplinary action. If keys are lost, misplaced, or stolen, employees must follow the following procedure:

1. School Cafeteria Personnel- notify the Principal or School Administrator as well as immediate supervisor as soon as possible.
2. Central Office Staff/Newman Nutrition Staff, ITD Personnel- must notify the immediate supervisor.

VIII. **School Based Dress Code Policy, Safety Apparel, and Personal Protection Equipment**

The Dress Code Policy replaced the Uniform Policy effective February 13, 2013. All Food Services Division employees shall comply with the Division's Dress Code Policy at all times during their regular assigned hours. Because Food Services employees work around machinery and hot foods, their feet must be adequately protected from possible injury. Shoes with open toes, leather or natural crepe soles, canvas shoes, or shoes with high heels (two inches or more) may not be worn. Employees must wear comfortable, low or no heel closed-toe shoes with slip-resistant soles. Examples are: food services industry shoes, tennis shoes, leather or leather-like shoes with slip-resistant soles, etc.

Jewelry must be limited to a plain band ring. All other jewelry including but not limited to earrings, necklaces, brooches/pins, bracelets, watches or any type of facial jewelry such as tongue or nose stud/ring **are not to be worn in the kitchen or production area** as they may contaminate the food, or become caught in machinery.

Personal protective equipment (such as oven mitts, sleeves, aprons, eye protection, etc.) must be used as intended and directed by the Division. Accidents occurring as a result of a practice in violation of Food Services Division or District policy, or clearly an unsafe practice or behavior, can result in employee receiving an incident log for working unsafely and/or disciplinary action.

A. **School Based Dress Code Policy**

Shirt and Blouse

1. Employees may continue to wear the Café LA approved uniform top (polo or button down) provided it still fits, is in good condition, and is not stained, torn, or frayed.
2. Employees may also wear white/light colored tops (Ex: polos, smocks, nursing scrubs).
3. Friday may be Spirit Day. Employees may wear their school's official Spirit Day shirts. Employees who choose not to wear the school Spirit Day shirt will be required to adhere to the standard dress code policy.

Bottoms

Employees may wear plain black bottoms or correlating smock/nursing bottoms.

1. Pants: Must be fitted at the waist. The pants should not be overly baggy, too tight, or have ripped bottoms. **Jeans and tights are prohibited.**
2. Skirts: Skirts should be no shorter than knee length and no longer than ankle length.

3. Shorts: Shorts should be fitted at the waist and should not be overly baggy nor too tight. Shorts should be knee length and should not extend past mid-calf.

Approved Hair and Beard Covering

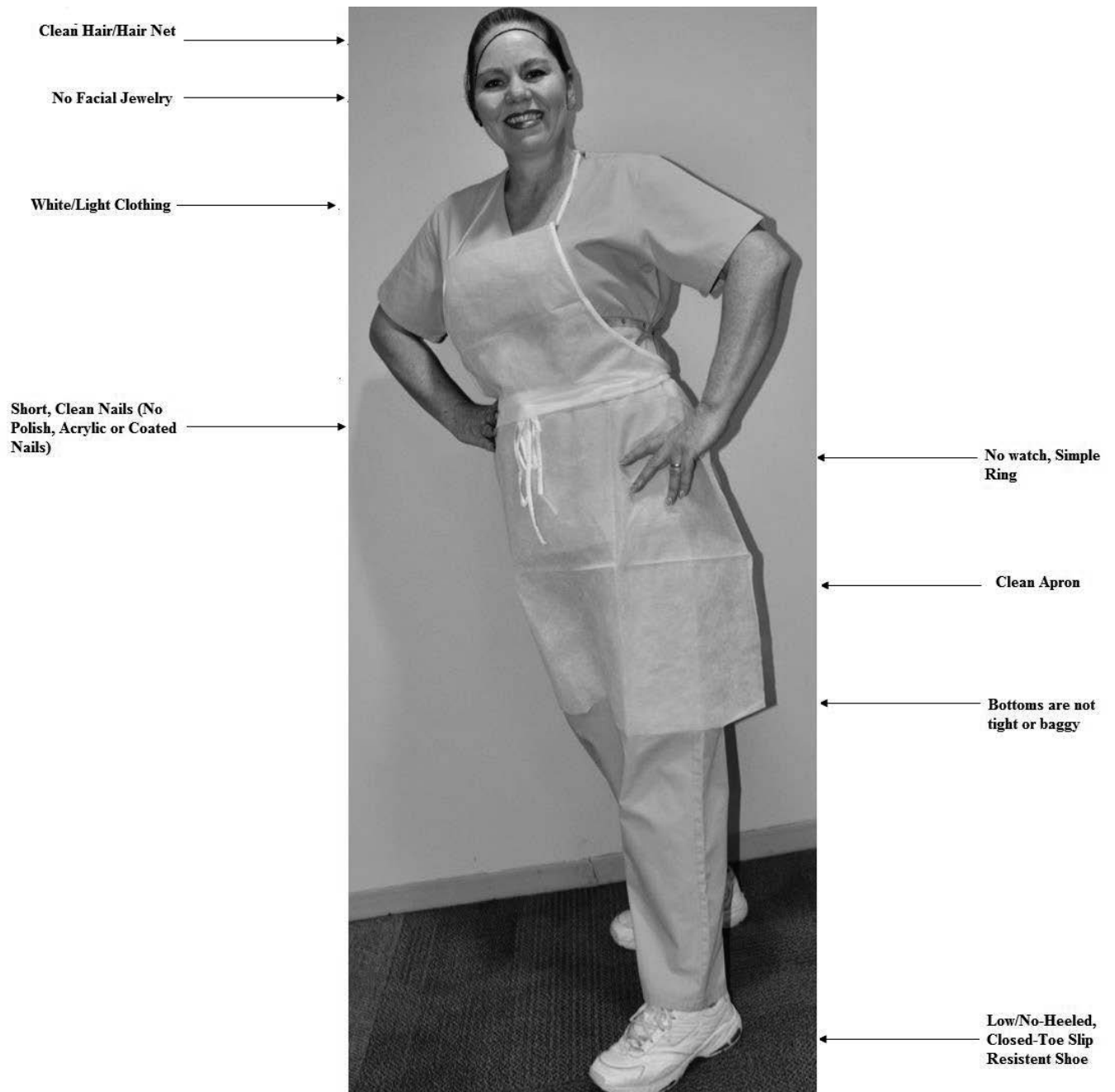
1. All employees must continue to wear the approved hairnet coverings at all times and all loose hair must be fully covered.
2. Employees with facial hair must wear a beard snood. This includes mustaches.
3. Employees wearing religious/ethnic head coverings may continue to do so provided it does not pose a safety or sanitation concern.
4. Wear approved cap and/or hair coverings.
 - a. If the head covering poses a potential safety or sanitation concern, a meeting will be held with the immediate supervisor and/or HR to discuss possible accommodations.
 - b. NOTE: Bandanas are prohibited.

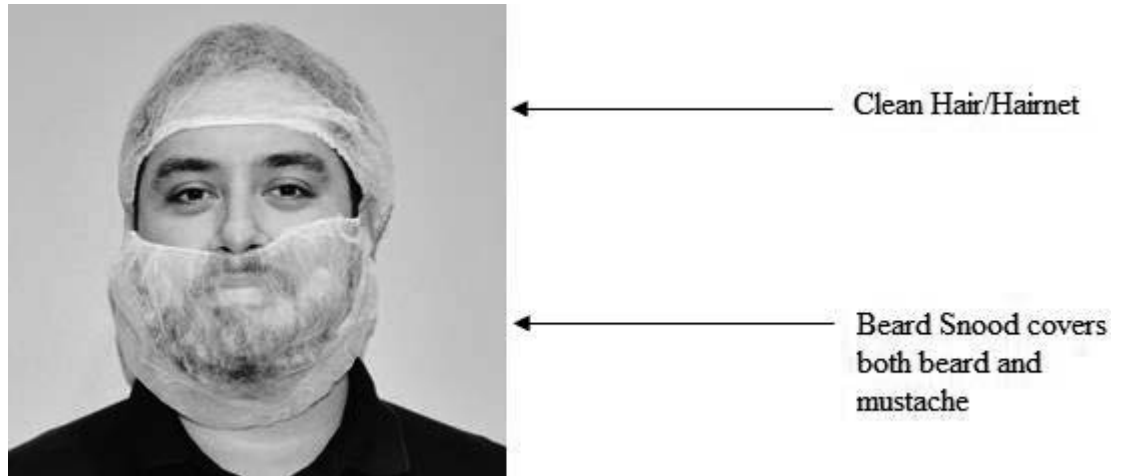
Allergies

Employees with specific allergies or medical restrictions that require accommodations outside of the guidelines listed, must submit documentation to support the request.

1. Employees will submit the required documentation to his/her immediate supervisor.
2. A meeting will be held with the supervisor and/or HR Representative to review the documentation for possible accommodations.

Sample of Employee Sanitation and Safety Requirements





Newman Nutrition Center

Employees at Newman Nutrition Center will be provided smocks daily at the start of their assignment to be worn over their clothes. The smocks are to be returned at the end of each day upon clocking out of their assignment.

Personal Protective Equipment

- A. Personal protective equipment (such as oven mitts, sleeves, aprons, eye protection, etc.) must be used as intended and directed by the Division. Accidents occurring as a result of a practice in violation of Food Services Division or District policy, or clearly an unsafe practice or behavior, can result in employees receiving an incident log for working unsafely and/or disciplinary action.

Personal Protective Equipment

Listed below are some samples of the personal protective equipment that should be used as directed.



17" Oven Mitt
Protection



Oven Sleeve



Cotton Gloves



Safety Goggles



Face

The items described above are only a summary. Please refer to the Food Services Division Guidelines, Policies & Procedures and HACCP requirements for a complete list.

IX. Sanitation, Personal Hygiene, and Employee Dress Code

California Health and Safety Code Section 113953.3, which applies to School District Cafeterias, states:

All food employees must wash their hands with warm water and cleanser by vigorously rubbing their lathered **hands and arms** for at least 10 to 15 seconds and rinsing with clean running water followed by drying of cleaned hands:

- A. Before they begin work;
- B. Before putting on gloves;
- C. After using the restroom facilities; and
- D. Anytime their hands may have become contaminated including smoking, answering any phone, touching unclean surfaces or body parts such as face, hair, or when sneezing, coughing, etc. (SOP # HACCP 1-4 *Hand washing*).

All employees preparing, serving or handling food, “**must wear** hair nets, or other suitable coverings to confine **all hair** when required to prevent the contamination of food or utensils.” Male and female employees must place all hair inside the hair net or cap. Bangs or fronts of hair hanging out of the net or cap is not allowed. **Male employees must be clean-shaven, or wear a beard snood.** Visitors to the facilities of both the school cafeterias and Newman Nutrition Center are required to comply with safety and sanitation regulations to walk through the main food production areas.

One of the most effective ways of protection against illness is through good personal hygiene. Employees must ensure personal hygiene by taking a shower or bath daily, avoid coughing and/or sneezing over food or on others and wearing appropriate undergarments, including socks or stockings to help absorb perspiration.

All Food Services employees, including Central Office and Field Staff, must report to work with a clean physical appearance and wear clean, appropriate work clothing for the location assigned. False eyelashes, false nails, acrylic nails, nail polish, any nail coating, and henna tattoos are prohibited for individuals assigned to work in kitchens and production areas. All fingernails must be trimmed short (SOP# HACCP 1-3 *Proper Clothing* and 1-3 *Hand Washing*).

The Food Services Division supplies aprons, hair covering items, gloves (disposable, rubber and cotton) for food service and pot washing to employees. Disposable items are for single use only. **Gloves must be changed:**

- A. As soon as they become soiled or torn;
- B. Before beginning a different task (refer to HACCP and Safety and Sanitation Trainings);
- C. At least every 4 hours when doing the same task;
- D. Before handling cooked or ready-to-eat food; and
- E. Whenever hand-washing is required (SOP #1-4 *Hand Washing*).

Employees must wear a clean apron when preparing food and take it off when leaving the food preparation area. An apron must be removed while on break, eating lunch, or using the restroom. Do not wipe soiled hands on apron (SOP #1-3 *Proper Clothing*).

Consistent with the Los Angeles County Health Department regulations, employees are prohibited from eating, gum chewing, and drinking in the food preparation, serving and storage areas of the cafeteria.

X. **Business Work Attire - Central Office Employees**

The Food Services Division adheres to a **business work attire**. Employees are required to adhere to a business dress code when choosing appropriate work clothing. Some allowances are made for employees working in the field; however, the Division reminds employees that they are still representing the District and Division and must always dress professionally. Central Office and field staff are **not exempt from complying with the jewelry, safety and sanitation, shoe policies when visiting cafeterias or the Newman Nutrition Center kitchen and production areas**.

Refer to the Table that illustrates acceptable and unacceptable guidelines for Business and Business Casual Attire (Fridays Only). If you are unclear about something in the policy, please see your immediate supervisor

The table below displays guidelines for acceptable and unacceptable dress for business and business casual attire. Because no dress code can address every situation, employees must exert good judgment in their choice of clothing. If you experience uncertainty about acceptable, appropriate business attire for work, please ask your supervisor.

	<u>Business</u>	<u>Business Casual (Friday Only)</u>
Pants		
Slacks or dress pants	Acceptable	Acceptable
Wool/Suit Pants	Acceptable	Acceptable
Dressy capris, dark jeans	Unacceptable	Acceptable
Corduroy	Unacceptable	Acceptable
Skirts/Dresses/Skirted Suits		
Dresses	Acceptable	Acceptable
Skirts	Acceptable	Acceptable
Skirts with jackets	Acceptable	Acceptable
Dressy two-piece knit suits or sets	Acceptable	Acceptable
Tops/Shirts/Blouses		
Suit jacket/sports coat	Acceptable	Acceptable
Dress shirts	Acceptable	Acceptable
Turtlenecks	Acceptable	Acceptable
Polo shirts	Acceptable	Acceptable
Blouses	Acceptable	Acceptable
Sweaters	Acceptable	Acceptable
Casual shirts	Acceptable	Acceptable
Footwear		
Athletic or walking Shoes	Unacceptable	Acceptable
Flats/Dress Heels/Dress Shoes	Acceptable	Acceptable
Oxfords	Acceptable	Acceptable
Loafers	Acceptable	Acceptable
Boots	Acceptable	Acceptable
Clogs	Unacceptable	Acceptable
Hats/ Headwear or Headdress/Accessories		
Hats	Unacceptable	Unacceptable
Headwear or headdress for religious or cultural purposes	Acceptable	Acceptable
Ties/Bow Ties	Acceptable	Acceptable

Sample of Business Work Attire



The items listed below are unacceptable for BOTH business and business casual attire.

Torn jeans	Clothing with pictures	T-shirts (unless underneath an approved top)
Sweatpants	Flashy athletic shoes	Clothing with teams/logos/slogans
Exercise pants	Form-fitting pants	Clothing with offensive words
Bermuda shorts	Flip Flops or thong sandals	Tops with bare shoulders
Shorts	Slippers	Sweatshirts
Bib overalls	Tank Tops	Spandex
Leggings	Halter tops	Midriff Tops
Cleavage baring tops		Sheer tops

Acknowledgement of Receipt:

I understand that I am responsible for reading, understanding and adhering to all policies and procedures found in the above document and bulletins including the Food Services Division Employee Handbook.

Employee Name: _____
(Please print)

Employee #: _____

Employee Signature: _____

Date: _____

**ADDENDUM FOR FOOD SERVICES EMPLOYEES
WHO USE PRIVATELY OWNED VEHICLES
FOR DISTRICT AUTHORIZED BUSINESS**

CLASSIFICATIONS THAT REQUIRE A DRIVER'S LICENSE/VEHICLE INSURANCE

CLASSIFICATION	CODE	CLASSIFICATION	CODE
Administrative Analyst	5073	Human Resources Representative	5044
Area Food Services Supervisor	4314	IT Field Services Technician II	3539
Assistant Food Production Manager	4329	Meal Compliance Audit Clerk	2691
Branch HR Manager	5007	Nutrition Specialist	4317
Computer Application Assistant	4820	Packaging Services Technician	4335
Deputy Branch Director	1038	Principal Financial Analyst	1116
Deputy Director of Food Services	4305	Regional Food Service Manager	4290
Director of Food Services	4301	Senior Food Service Training Specialist	4321
Financial Analyst	1089	Senior Food Service Worker*	4395
Food Production Manager	4328	Senior Financial Analyst	1114
Food Service Equipment Specialist	3121	Senior Human Resources Representative	5059
Food Service Manager I	4291	Senior Meal Compliance Audit Clerk	2690
Food Service Manager II	4292	Senior Nutrition Specialist	4309
Food Service Manager III	4293	Senior Office Technician	2838
Food Service Manager IV	4296		
Food Service Manager V	4297		
Food Service Manager VI	4294		
Food Service Manager VII	4295		
Food Service Training Specialist	4312		
Food Service Worker II (Driver)	4388		
Food Services Cost Analyst	1071		
Food Services Staff Aide	4313		
Graphics Designer II	4614		

***The Senior Food Service Worker (SFSW) classification does not require a California Driver's License; however, the SFSW at some sites may function as back-up to the Food Service Worker II. In those cases, this addendum and procedures apply to the SFSW.**

