



**REGULAR MEETING of the Executive Committee of the
Peninsula Clean Energy Authority (PCEA)
Tuesday, September 11, 2018
8:00 a.m.**

Peninsula Clean Energy, 2075 Woodside Road,
Redwood City, CA 94061

Supplemental Agenda Packet items. Please find attached:

- Item No. 3 Draft Employee Handbook

Attachments to the Employee Handbook:

- A. Request to Engage in Supplemental Employment Form
- B. Conflict of Interest Code
- C. Guidelines for Employee Political Activity
- D. PCE Confidentiality Agreement
- E. PCE Policy 2: Customer Confidentiality Policy



EMPLOYEE HANDBOOK

Issue Date (Version 1): 09/10/18

Peninsula Clean Energy
2075 Woodside Road,
Redwood City, CA 94061

Table of Contents

SECTION 1: INTRODUCTION TO PENINSULA CLEAN ENERGY	6
1.101 Welcome to Peninsula Clean Energy!.....	7
1.102 Agency Structure	8
1.103 Peninsula Clean Energy History	8
1.104 Mission Statement.....	9
1.105 Strategic Goals	9
1.106 About this Handbook	10
1.107 New Employee Onboarding	10
SECTION 2: EMPLOYMENT	11
2.101 Nature of Employment	12
2.102 Job Postings	13
2.103 Employee Relations Philosophy.....	13
2.104 Equal Opportunity Employer	14
2.105 Nepotism Prohibited.....	14
2.106 Immigration Reform and Control Act	15
2.107 Supplemental Employment	15
2.108 Americans with Disabilities Act	16
2.109 Access to Personnel Files	16
2.110 Employment Reference Checks	17
2.111 Changes in Personal Data	17
2.112 Termination of Employment.....	18
2.113 Social Security Number Privacy	18
SECTION 3: EMPLOYEE CONDUCT	20
3.101 Conflict of Interest/Code of Ethics	21
3.101 Standards of Conduct	22
3.103 No Harassment	23
3.104 Protecting PCE Information	26
3.105 Use of Personal Devices, including PCE Issued Devices	27
3.106 Smoking in the Workplace.....	28
3.107 Drug and Alcohol Use	28
3.108 Drug Testing	29

3.109 [Not Used]	31
3.110 Attendance and Punctuality	31
3.111 Personal Appearance	32
3.112 Non-Solicitation	32
3.113 Distribution	33
3.114 Acceptable Use of Electronic Communications/Workplace Monitoring.....	33
3.115 Company Document Management	35
3.116 Social Media	36
3.118 [Not used]	37
3.119 Contact with PCE.....	37
3.120 Customer and Public Relations	37
SECTION 4: WORKING CONDITIONS	38
4.101 Expectation of Privacy	39
4.102 Performance Reviews	39
4.103 Coaching, Counseling, and Progressive Discipline.....	39
4.104 Talk to Us	40
4.105 Safety	40
4.106 Visitors	41
4.107 Workplace Violence	41
4.108 [Not used]	42
4.109 [Not used]	42
4.110 PCE [Not used]	42
4.111 Travel/Expense Accounts.....	42
SECTION 5: BENEFITS	44
5.101 Employee Benefits	45
5.101(a) Medical Insurance	45
5.101(b) Dental Insurance	46
5.101(c) Vision Care Plan	46
5.101(d) Social Security and Unemployment Insurance	47
5.101(e) Life Insurance	47
5.101(f) Section 125 Plans	48
5.101(g) Retirement Plan.....	48
5.101(h) State Disability Insurance	49

5.102 Workers' Compensation	49
5.103 Injury and Illness Prevention Program (IIPP)	49
A. Purpose.....	50
B. Responsibility	50
C. Compliance	50
D. Communication	50
E. Hazard Assessment.....	51
F. Accident/Exposure Investigations.....	51
G. Hazard Correction.....	51
H. Training and Instruction	52
5.106 Lactation Breaks.....	53
5.107 No Pets in the Workplace	53
5.108 COBRA.....	54
SECTION 6: PAYROLL.....	55
6.101 Categories of Employment	56
6.101(a) Anniversary Date	56
6.102 Licensing Requirements.....	56
6.103 Payday.....	57
6.104 Pay Advances	57
6.105 Timekeeping	57
6.106 Overtime (Non-Exempt Only)	58
6.107 Meal, Rest, and Recovery Time (Non-Exempt Only)	59
6.108 [Not used]	61
6.109 [Not used]	61
6.110 Paycheck Deductions and Set-Offs	61
6.111 Work Schedules	61
6.112 Garnishment/Child Support.....	61
SECTION 7: LEAVE OF ABSENCE	63
7.101 Vacation	64
7.102 Paid Sick Leave	65
7.103 Bereavement Leave	67
7.104 Disability Leave/FMLA Leave	67
7.105 Holidays.....	68

7.106 Voting Leave	69
7.107 Jury Duty	69
7.108 Military Leave and Civil Air Patrol	70
7.109 Pregnancy Accommodation	71
7.110 Pregnancy Disability Leave	72
7.111 Family Leave Insurance.....	73
7.112 [Not Used].....	74
7.113 [Not Used].....	74
7.114 Bone Marrow and Organ Donation Leave	74
7.115 Rehabilitation Leave	75
7.116 Domestic Violence Leave	75
7.117 Victims of Felony Crimes Leave	75
7.118 Time Off for School-Related Activities.....	76
Receipt of Employee Handbook and Employment-At-Will Statement	77

Attachments

- A. Request to Engage in Supplemental Employment Form
- B. Conflict of Interest Code
- C. Guidelines for Employee Political Activity
- D. PCE Confidentiality Agreement
- E. PCE Policy 2: Customer Confidentiality Policy
- F. PCE Acceptable Use of Electronic Communications Policy
- G. Document Retention Policy (Forthcoming)
- H. Social Media Policy (Forthcoming)

SECTION 1: INTRODUCTION TO PENINSULA CLEAN ENERGY

1.101 Welcome to Peninsula Clean Energy!

Dear Staff,

On behalf of everyone at Peninsula Clean Energy (PCE), welcome to the team! You are joining PCE at a very exciting time, for PCE, the industry, and our state. Community Choice Aggregators are challenging communities, states, and countries to make clean, renewable, greenhouse gas-free energy the standard. We are proud to be part of this wave of progress.

Starting a new job is exciting, but at times can be overwhelming. This Employee Handbook has been developed to help you become acquainted with PCE and answer many of your initial questions.

As an employee of Peninsula Clean Energy, you are very important. Your contribution cannot be overstated. We are a mission driven organization, and your role is an important part of achieving our mission – to reduce greenhouse gas emissions in San Mateo County. We first do that by providing cleaner and greener electricity at lower rates than PG&E. Next, we are offering energy related programs that use PCE's clean electricity to reduce greenhouse gas emissions by moving to electric transportation methods. And finally, we will offer electrification programs to reduce GHG emissions in buildings by converting from natural gas use to PCE's clean electricity. We hope the success we have in San Mateo County provides a model for other parts of the state, country, and world to also move toward a clean electric economy!

You are an important part of this process and your work directly influences PCE's reputation.

We are glad you have joined us, and we hope you will find your work to be both challenging and rewarding.

Sincerely,

Jan Pepper
Chief Executive Officer

1.102 Agency Structure

Peninsula Clean Energy (“PCE”) is a public agency – a local government joint powers authority (JPA) that is governed by a Board of Directors consisting of 22 Directors. Twenty of these are appointed by each of the municipalities in San Mateo County: Atherton, Belmont, Brisbane, Burlingame, Colma, Daly City, East Palo Alto, Foster City, Half Moon Bay, Hillsborough, Menlo Park, Millbrae, Pacifica, Portola Valley, Redwood City, San Bruno, San Carlos, San Mateo, South San Francisco, Woodside. Additionally, the Board has two (2) directors appointed by the County of San Mateo. The Executive Committee (currently consisting of nine (9) members) of the Peninsula Clean Energy Authority Board of Directors is responsible for providing administrative oversight for the overall organization. The Audit & Finance Committee (currently consisting of five (5) members) of the PCE Board of Directors is responsible for financial oversight of the organization.

The Chief Executive Officer (CEO) is responsible to the Board of Directors.

1.103 Peninsula Clean Energy History

In 2014, San Mateo County began to explore the feasibility of starting a Community Choice Energy (“CCE”) (also known as “Community Choice Aggregation” or “CCA”) program in the County and interested cities located therein. A CCE program allows cities to aggregate their energy demand and purchase power from sources other than Pacific Gas & Electric (“PG&E”). PG&E will still deliver the power, maintain the lines, and bill customers, but the power will be purchased by the CCE program (branded “Peninsula Clean Energy” in San Mateo County). The County hired the consulting firm Pacific Energy Advisors to study the environmental, economic, and technical potential for a CCE program in San Mateo County. All twenty cities and the County’s unincorporated areas participated in the study. The “Draft Peninsula Clean Energy CCA Technical Study” (Technical Study) was completed in September 2015.

Following years of careful study and development, Peninsula Clean Energy (“PCE”) was created in February 2016 when all 20 cities in San Mateo County, plus the County of San Mateo, voted unanimously to form a Joint Powers Authority to administer the program. PCE began serving its initial group of customers on October 1, 2016. This initial enrollment was comprised of 20% of the residential customer base and all of the small and medium commercial base in San Mateo County as part of Phase 1. PCE launched Phase 2 in April 2017, when PCE began serving the remaining 80% of the residential customer base, plus the large commercial and agricultural customers in San Mateo County.

1.104 Mission Statement

Peninsula Clean Energy is San Mateo County's locally-controlled electricity provider. We are reducing greenhouse gas emissions and offering customer choices at competitive rates.

1.105 Strategic Goals

The PCE Board of Directors adopted these strategic goals in the fall of 2016:

1. Design a diverse power portfolio that is greenhouse gas free.
 - a. 100% GHG free by 2021
 - b. Sourced by 100% CA RPS eligible renewable energy by 2025
 - c. Create a minimum of 20 MWs of new local power by 2025
2. Continually strive to offer ECOPlus at rates that are at parity or lower than PG&E rates.
3. Stimulate development of new renewable energy projects and clean-tech innovation in San Mateo County and California through PCE's procurement activities.
4. Demonstrate quantifiable economic benefits to the County/region and place a priority on local hiring and workforce development practices and environmental justice.
5. Implement programs to further reduce greenhouse gas emissions by investing in programs such as local clean power production, electric vehicles, energy efficiency, and demand response, and partnering effectively with local business, schools, and nonprofit organizations.
6. Maximize and maintain customer participation in PCE.
 - a. Provide a superior customer experience
 - b. Develop PCE brand awareness and loyalty throughout the County.
 - c. Actively encourage voluntary participation in its ECO100 renewable energy product
 - d. Actively encourage participation in other programs PCE develops
 - e. Achieve recognition from the EPA's Green Power Partnership for Green Power Communities for all cities with municipal accounts enrolled in ECO100 by 2018
7. Build a financially sustainable Agency.
 - a. Build sufficient reserves in a rate stabilization fund

- b. Achieve an investment grade credit rating by 2021
- 8. Foster a work environment that espouses sustainable business practices and cultivates a culture of innovation, diversity, transparency, integrity, and commitment to the Agency's mission and the communities it serves.

1.106 About this Handbook

This Employee Handbook contains information about the employment policies and practices of PCE. We expect each employee to read, understand, and comply with all provisions of this Employee Handbook. It describes many of your responsibilities as an employee and outlines the programs developed by PCE to benefit you as an employee. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

As noted above, PCE is a JPA, an independent California public agency that was created separate from any other public agency. The employment laws that apply in the public sector are sometimes different from those in the private sector. If you have previously worked for a for-profit or not-for-profit organization, you may notice some differences.

PCE complies with federal and state law which is in part reflected in this handbook. PCE also complies with any applicable local laws, even though there may not be an express written policy contained in the handbook.

Violations of the policies and procedures outlined in the handbook, as well as violations of any applicable state and/or federal law, may be grounds for discipline up to and including immediate termination.

1.107 New Employee Onboarding

Upon joining PCE, you were given an e-copy of our Employee Handbook. After reading this Employee Handbook please sign the receipt page and return it to the Executive Assistant to the CEO. You will be asked to complete personnel, payroll and if applicable, benefit forms which will need to be provided to the Chief Financial Officer.

PCE is a small Agency and our doors are always open here. The operations of your department are the responsibility of your supervisor. (S)he is a good source of information about PCE and your job. However, feel free to speak to the CEO if you have questions about PCE or your position.

SECTION 2: EMPLOYMENT

2.101 Nature of Employment

Effective Date: 09/2018

Except for the policy of at-will employment, PCE reserves the right to revise, delete, and add to the provisions of this Employee Handbook at any time without notice. All such revisions, deletions or additions to the Employee Handbook must be in writing and must be signed by the Chief Executive Officer of PCE. No oral statements or representations can change the provisions of this Employee Handbook.

The provisions of this Employee Handbook are not intended to create contractual obligations with respect to any matters it covers nor is this Employee Handbook intended to create a contract guaranteeing that you will be employed for any specific period of time. Any agreement of employment for a specified time period shall be put into writing and signed by the Chief Executive Officer.

Nothing in this Employee Handbook is intended to unlawfully restrict an employee's right to engage in any of the rights guaranteed them by Section 7 of the National Labor Relations Act, including but not limited to, the right to engage in concerted protected activity for the purposes of their mutual aid and/or protection. Nothing in this Employee Handbook will be interpreted, applied or enforced to interfere with, restrain or coerce employees in the exercise of Section 7 rights.

PCE IS AN AT-WILL EMPLOYER. THIS MEANS THAT REGARDLESS OF ANY PROVISION IN THIS EMPLOYEE HANDBOOK, EITHER YOU OR PCE MAY TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME, FOR ANY REASON, WITH OR WITHOUT CAUSE OR NOTICE. NOTHING IN THIS EMPLOYEE HANDBOOK OR IN ANY DOCUMENT OR STATEMENT, WRITTEN OR ORAL, SHALL LIMIT THE RIGHT TO TERMINATE EMPLOYMENT AT-WILL. NO OFFICER, EMPLOYEE OR REPRESENTATIVE OF PCE IS AUTHORIZED TO ENTER INTO AN AGREEMENT—EXPRESS OR IMPLIED—WITH ANY EMPLOYEE FOR EMPLOYMENT FOR A SPECIFIED PERIOD OF TIME UNLESS SUCH AN AGREEMENT IS IN A WRITTEN CONTRACT SIGNED BY THE CHIEF EXECUTIVE OFFICER OF PCE.

This Employee Handbook refers to current benefit plans maintained by PCE. Refer to the actual plan documents and summary plan descriptions if you have specific questions regarding the benefit plan. Those documents are controlling.

Likewise, if a written employment contract is inconsistent with the Employee Handbook, the written contract is controlling.

2.102 Job Postings

Effective Date: 09/2018

PCE maintains a job description for each position in PCE. The job description outlines the essential duties and responsibilities of the position. When the duties and/or responsibilities of a position change, the job description will be revised to reflect those changes. If you have any questions or wish to obtain a copy of your position's job description, please see your supervisor.

PCE provides employees an opportunity to indicate their interest in open positions and advance within PCE according to their skills and experience. In general, notices of all regular, full-time job openings are posted, although PCE reserve its sole discretionary right not to post a particular opening.

Posted job openings will be added to PCE's website and the County of San Mateo website and normally remain open for two to three weeks but will stay open until filled. Each job posting notice will include the dates of the posting period, job title, job summary, essential duties and qualifications.

To be eligible to apply for a posted job, employees must have performed competently in their current position. PCE reserves the right not to accept applications for open positions from an employee who is currently on any type of disciplinary action.

To apply for an open position, employees should submit a cover letter and resume as directed on the job posting, listing job-related skills and accomplishments. Materials should also describe how current experience with PCE and prior work experience and/or education qualifies them for the position.

Job posting is a way to inform employees of openings and to identify qualified and interested applicants whose interest might not otherwise be known to PCE. Other recruiting sources may also be used to fill open positions in the best interest of PCE.

2.103 Employee Relations Philosophy

Effective Date: 09/2018

We are committed to providing the best possible climate for maximum development and goal achievement for all employees. Our practice is to treat each employee as an individual. We seek to develop a spirit of teamwork; individuals working together to attain a common goal.

To maintain an atmosphere where these goals can be accomplished, we provide a comfortable and progressive workplace. Most importantly, we have a workplace where communication is open, and problems can be discussed and resolved in a mutually

respectful atmosphere. We consider individual circumstances and the individual employee.

We firmly believe that with direct communication, we can continue to resolve any difficulties that may arise and develop a mutually beneficial relationship.

2.104 Equal Opportunity Employer

Effective Date: 09/2018

PCE is committed to equal employment opportunity. We will not discriminate against employees or applicants for employment on any legally recognized basis ["protected class"] including, but not limited to: race; color; religion; genetic information; national origin; sex; pregnancy, childbirth, or related medical conditions; age; disability; citizenship status; uniform servicemember status; or any other protected class under federal, state, or local law.

In California, the following also are a protected class: race; religious creed; color; national origin; ancestry; physical disability; mental disability; medical condition, including genetic characteristics; genetic information; marital status; sex; pregnancy, childbirth or related medical conditions or breast feeding; perceived pregnancy; actual or perceived gender; gender identity or expression (including transgender); sexual orientation; civil air patrol membership; service in the military forces of the State of California or of the United States; military and veteran status; lawful conduct occurring during nonworking hours away from PCE premises; age [40 or over]; and citizenship status. Included in the definition of each protected category is the perception of membership in a protected category and an individual's association with an actual or perceived member of a protected category.

You may discuss equal employment opportunity related questions with your supervisor or any other designated member of management.

2.105 Nepotism Prohibited

Effective Date: 09/2018

It is the policy of PCE to recruit, hire, and assign all employees on the basis of merit and performance. Nepotism, the employment of relatives within an organization, may cause serious conflicts and problems with favoritism and employee morale. Nepotism is expressly prohibited at PCE because it is antithetical to PCE's merit based hiring process.

For purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with an employee is like that of persons who are related by blood

or marriage, such as those who are living together. This policy applies to all employees regardless of gender or sexual orientation.

2.106 Immigration Reform and Control Act

Effective Date: 09/2018

In compliance with the federal Immigration Reform and Control Act of 1986 (IRCA), as amended, and any state law requirements, if applicable, PCE is committed to employing only individuals who are authorized to work in the United States.

Each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired may also be required to re-complete the form.

If an employee is authorized to work in this country for a limited period of time, the individual will be required to submit proof of renewed employment eligibility prior to expiration of that period to remain employed by PCE.

2.107 Supplemental Employment

Effective Date: 09/2018

Employees may hold supplemental jobs as long as they meet the performance standards of their job with PCE. All employees will be judged by the same performance standards and will be subject to PCE's scheduling demands, regardless of any existing supplemental work requirements.

If PCE determines that an employee's supplemental work interferes with performance or the ability to meet the requirements of PCE as they are modified from time to time, the employee may be asked to terminate the supplemental employment if he or she wishes to remain employed by PCE.

An employee who wishes to engage in supplemental employment must complete the [Request to Engage in Supplemental Employment Form](https://peninsulacleanenergy.box.com/s/l9n2hy7z7tquhibnn33ei6c6cg2vrnsn) (<https://peninsulacleanenergy.box.com/s/l9n2hy7z7tquhibnn33ei6c6cg2vrnsn>). The form must be signed by the employee's supervisor and the CEO.

Supplemental employment that constitutes a conflict of interest is strictly prohibited. If you have a concern regarding a potential or actual conflict, please discuss it with the CEO.

2.108 Americans with Disabilities Act

Effective Date: 09/2018

PCE is committed to complying fully with the Americans with Disabilities Act (“ADA”) and the California Fair Employment and Housing Act (“FEHA”) and ensuring equal employment opportunities to qualified individuals with disabilities. This may include providing reasonable accommodation where appropriate for an otherwise qualified individual to perform the essential functions of the job. All employment practices and activities are conducted on a non-discriminatory basis. Hiring procedures are designed to provide persons with disabilities meaningful employment opportunities. Post-offer pre-employment inquiries are made only regarding an applicant’s ability to perform the duties of the position.

It is your responsibility to notify your supervisor of the need for accommodation. Upon doing so, your supervisor may ask you for your input or the type of accommodation you believe may be necessary or the functional limitations caused by your disability. Also, when appropriate, we may need your permission to obtain additional information from your physician or other medical or rehabilitation professionals. PCE will not seek genetic information in connection with requests for accommodation. All medical information received by PCE in connection with a request for accommodation will be treated as confidential.

Reasonable accommodations for qualified individuals with known disabilities will be made unless doing so would be an undue hardship. All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual.

2.109 Access to Personnel Files

Effective Date: 09/2018

PCE maintains a personnel file on each employee. Such files include: employee’s job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records.

Personnel files are the property of PCE and access to the information they contain is restricted. Generally, only management-level personnel of PCE and your supervisor who have a legitimate reason to review information in a file are permitted to do so.

Upon request, current and former employees may inspect their own personnel files at a mutually agreeable time, on PCE premises in the presence of an authorized PCE management team member. You will be permitted to see any records regarding your qualification for employment, promotion, wage increases, earnings and deductions, or discipline. Additionally, PCE will provide copies of payroll records within fifteen (15) days after a request, preferably in writing, is received. Exceptions include records

regarding criminal investigation and any letters of reference maintained by PCE. You will be allowed to have a copy of any document that relates to your performance or any grievance that concerns you. PCE complies with state law record retention requirements for current and former employees.

For more information, contact the Executive Assistant to the CEO.

2.110 Employment Reference Checks

Effective Date: 09/2018

To ensure that individuals who join PCE are well qualified and have a strong potential to be productive and successful, it is the policy of PCE to check the employment references of all applicants.

Regarding current or former PCE employees, PCE will respond in writing or verbally only to those reference check inquiries that are submitted in writing. Responses to such inquiries will confirm only dates of employment, wage rates, and position(s) held. NO other employment data will be released without a written authorization and release signed by the individual who is the subject of the inquiry. Currently, only the CEO is authorized to respond to reference check inquiries. The CEO has the authority to delegate this responsibility as appropriate.

2.111 Changes in Personal Data

Effective Date: 09/2018

To aid you and/or your family in matters of personal emergency, we need to maintain up to date information. It is the responsibility of each employee to promptly notify PCE of any changes in personal data. Personal mailing addresses, telephone numbers, number and names of dependents who are enrolled in benefit plan(s) or are beneficiaries of benefit plan(s), individuals to be contacted in the event of an emergency, educational accomplishments or credentials, and other such status reports should be accurate and current. If any personal data has changed, please notify your supervisor and the Executive Assistant to the CEO in writing.

Changes that would impact your paycheck or annual reporting documents should be given to the Chief Financial Officer promptly.

2.112 Termination of Employment

Effective Date: 09/2018

Should you decide to leave your employment with us, we ask that you provide your immediate supervisor with at least two weeks' advance written notice. Your thoughtfulness is appreciated and will be noted favorably should you ever wish to reapply for employment with PCE.

All voluntary terminating employees should complete a brief exit interview prior to leaving. All terminating employees, either voluntary or involuntary, will be provided information about employee benefits, conversion privileges, repayment of outstanding debts to PCE, and return of PCE-owned property.

Depending upon the circumstances of employment terminations, your final paycheck will be provided as follows:

- Employee voluntarily terminates employment and provides at least a 72-hour notice – Employee will be provided his/her final paycheck on his/her last day of employment.
- Employee voluntarily terminates employment but provides less than 72-hour notice – Employee will be provided his/her final paycheck within 72-hours of his/her last day of employment.
- Employee involuntarily terminates employment – Employee will be provided his/her final paycheck on his/her last day of employment.

2.113 Social Security Number Privacy

Effective Date: 09/2018

Officers and employees are permitted to access and use certain personal information, such as Social Security Numbers, only as necessary and appropriate for such persons to carry out their assigned tasks for PCE and in accordance with PCE's policy.

The unauthorized access, viewing, use, disclosure, or the intentionally public display of such information and the unauthorized removal of documents from PCE's premises that contain social security number information is prohibited.

If you come into contact with Social Security Numbers or other sensitive personal information without authorization from PCE or under circumstances outside of your job duties/assigned tasks, you may not use or disclose the information further, but must contact your supervisor and turn over to him/her all copies of the information in whatever form.

When necessary, documents containing social security information will be properly destroyed through shredding or other means prior to disposal to ensure confidential social security information is not disclosed.

DRAFT

SECTION 3: EMPLOYEE CONDUCT

3.101 Conflict of Interest/Code of Ethics

Effective Date: 09/2018

A company's reputation for integrity is its most valuable asset and is directly related to the conduct of its officers and other employees. Therefore, employees must never use their positions with PCE, or any of its customers, for private financial gain, to advance personal financial interests, to obtain favors or benefits for themselves, members of their families or any other individuals, corporations or business entities, or engage in activities, investments or associations that compete with PCE, interferes with an employee's business judgment concerning PCE's best interests, or exploits an employee's position with PCE for personal gain.

PCE adheres to the highest legal and ethical standards applicable in our business. PCE's business is conducted in strict observance of both the letter and spirit of all applicable laws and the integrity of each employee is of utmost importance. All employees of PCE have an obligation to conduct business within the guidelines that prevent actual or potential conflicts of interest and to comply with [PCE's Conflict of Interest Code](https://peninsulacleanenergy.box.com/s/ru4qa5eowllh6yvwh1g4wrx30zncvn7b) (<https://peninsulacleanenergy.box.com/s/ru4qa5eowllh6yvwh1g4wrx30zncvn7b>).

Employees of PCE shall conduct their personal affairs such that their duties and responsibilities to PCE are not jeopardized and/or legal questions do not arise with respect to their association or work with PCE.

POLITICAL ACTIVITY – PCE employees are public employees because PCE is a JPA under California Government Code Section 6500 et seq. The governing body, the Board of Directors, is comprised of publicly elected representative of its member jurisdictions. While California law prohibits public employers from barring its officers and employees from participation in political activities, the law permits PCE to develop guidelines prohibiting officers and employees from engaging in political activity during work hours, on agency premises, or using agency property to do so, including email. For more information, please see [Guidelines for Employee Political Activity](https://peninsulacleanenergy.box.com/s/srua0e2f6ddyujpzf5vyu87moivzjiju) (<https://peninsulacleanenergy.box.com/s/srua0e2f6ddyujpzf5vyu87moivzjiju>).

This policy does not prevent employees from discussing their wages or other terms of employment.

3.101 Standards of Conduct

Effective Date: 09/2018

Each employee has an obligation to observe and follow PCE's policies and to maintain proper standards of conduct at all times. Failure to adhere to PCE's policies will result in corrective disciplinary measures.

Disciplinary action may include a verbal warning, written warning, suspension with or without pay, and/or termination of employment. The appropriate disciplinary action imposed will be determined by PCE. PCE does not guarantee that one form of action will necessarily precede another.

Among other things, the following may result in disciplinary action, up to and including termination of employment: [some of the specific items listed below are referenced to sections that follow]

- Violation of PCE's policies or safety rules;
- Failing to work in a cooperative manner with management, co-workers, customers and others who do business with PCE;
- Unauthorized or illegal possession, use, or sale of alcohol or controlled substances on work premises or during working hours, while engaged in company activities; [Section 3.107]
- Unauthorized possession, use, or sale of weapons, firearms, or explosives on work premises;
- Theft or dishonesty;
- Inappropriate or violent physical contact;
- Harassment; [Section 3.103]
- Discrimination or retaliation in violation of PCE's EEO and No Harassment policies; [Section 3.103]
- Performing outside work or use of company property, equipment, or facilities in connection with outside work while on company time;
- Engaging in unethical or illegal conduct;
- Unauthorized disclosure of business "secrets" or confidential proprietary information; [Section 3.104]
- Poor attendance or poor performance.

These examples are not exhaustive. We emphasize that termination of employment decisions will be based on an assessment of all relevant factors.

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

Nothing in this policy is designed to modify PCE's employment-at-will policy.

3.103 No Harassment

Effective Date: 09/2018

We are committed to providing a work environment that is free of unlawful harassment, discrimination and retaliation. In furtherance of this commitment, PCE strictly prohibits all forms of unlawful discrimination and harassment, including: discrimination or harassment on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, protected medical condition (including genetic characteristic), genetic information, marital status, sex (including pregnancy, childbirth or related medical condition, or breast feeding), gender, gender identity or expression (including transgender), age for individuals over forty years of age, military or veteran status, sexual orientation, citizenship status, or any other category protected by applicable state or federal law.

PCE's policy against unlawful harassment, discrimination and retaliation applies to all employees, including supervisors and managers, as well as to all unpaid interns and volunteers. PCE prohibits managers, supervisors and employees from harassing co-workers as well as PCE's customers, vendors, suppliers, independent contractors, and others doing business with PCE. Any such harassment will subject an employee to disciplinary action up to and including immediate termination. PCE likewise prohibits its customers, vendors, suppliers, independent contractors and others doing business with PCE from harassing, discriminating, or retaliating against our managers, supervisors and employees.

Examples of Prohibited Sexual Harassment: Sexual harassment includes a broad spectrum of conduct including harassment based on sex, gender, gender identity or expression, and sexual orientation. By way of illustration only, and not limitation, some examples of unlawful and unacceptable behavior include:

- Unwanted sexual advances;
- Offering an employment benefit (such as a raise, promotion or career advancement) in exchange for sexual favors, or threatening an employment detriment (such as termination or demotion) for an employee's failure to engage in sexual activity;
- Visual conduct, such as leering, making sexual gestures, and displaying or posting sexually suggestive and/or derogatory objects or pictures, drawings, cartoons or posters;
- Verbal sexual advances, propositions, requests or comments;
- Sending or posting sexually-related messages, videos or messages via text, instant messaging, or social media;
- Verbal abuse of a sexual nature, graphic verbal comments about an individual's body, sexually degrading words used to describe an individual, and suggestive or obscene letter, notes or invitations;

- Physical conduct, such as touching, groping, assault, or blocking movement;
- Physical or verbal abuse concerning an individual's gender, gender identity or gender expression; and
- Verbal abuse concerning a person's characteristics such as pitch of voice, facial hair or the size or shape of a person's body, including remarks that a male is too feminine, or a woman is too masculine.

Other Examples of What Constitutes Prohibited Harassment: In addition to the above listed conduct, PCE strictly prohibits harassment concerning any other protected characteristic. By way of illustration only, and not limitation, such prohibited harassment includes:

- Racial or ethnic slurs, epithets, derogatory comments and any other offensive remarks;
- Jokes, whether written, verbal, or electronic;
- Threats, intimidation, and other menacing behavior;
- Assault, impeding or blocking movement, or any physical interference with normal work or movement;
- Inappropriate verbal, graphic, or physical conduct;
- Sending or posting harassing messages, videos or messages via text, instant messaging, or social media; and
- Other harassing conduct based on one or more of the protected categories identified in this policy.

If you have any questions about what constitutes harassing behavior, ask your supervisor or another member of management.

Prohibition Against Retaliation: PCE is committed to prohibiting retaliation against those who themselves or whose family members report, oppose, or participate in an investigation of alleged unlawful harassment, discrimination, or other wrongdoing in the workplace. By way of example only, participating in such an investigation includes, but is not limited to:

- Making or filing an internal complaint with PCE regarding alleged unlawful activity;
- Providing notice to PCE regarding alleged unlawful activity;
- Filing a complaint with a federal or state enforcement or administrative agency;
- Participating in or cooperating with a federal or state enforcement agency conducting an investigation of PCE regarding alleged unlawful activity;
- Testifying as a party, witness, or accused regarding alleged unlawful activity; and
- Assisting another employee who is engaged in any of these activities.

PCE is further committed to prohibiting retaliation against qualified employees who request a reasonable accommodation for any known physical or mental disability and employees who request a reasonable accommodation of their religious beliefs and observances.

What You Should Do If You Feel You Are Being or Have Been Harassed, Discriminated Against or Retaliated Against – If you feel that you are being or have been harassed, discriminated against or retaliated against in violation of this policy by another employee, supervisor, manager or third party doing business with PCE, you should immediately contact the Chief Executive Officer. In addition, if you observe harassment by another employee, supervisor, manager or non-employee, please report the incident immediately to the CEO. If the CEO is alleged to be involved in the harassment, the Chair of the PCE Board must be notified.

Supervisors who receive any complaint of harassment, discrimination or retaliation must promptly report such complaint to the Chief Executive Officer so that PCE may resolve the complaint internally. As noted above, if the complaint is against the CEO, the Chair of the PCE board should be notified.

Your notification of the problem is essential to us. We cannot help to resolve a harassment problem unless we know about it. Therefore, it is your responsibility to bring your concerns and/or problems to our attention, so we can take whatever steps are necessary to address the situation. PCE takes all complaints of unlawful harassment seriously and will not penalize you or retaliate against you in any way for reporting a harassment problem in good faith.

All complaints of unlawful discrimination, harassment, or retaliation which are reported to the Chief Executive Officer or the Chair of the PCE Board, as applicable, will receive a timely response and will be thoroughly investigated in a fair and prompt manner by impartial and qualified personnel. Investigations will be conducted in a manner which provides all parties with appropriate due process, reaches a reasonable conclusion based on evidence collected and ensures timely closure. In addition, PCE will ensure that the investigation is properly documented and tracked for reasonable progress. Upon conclusion of such investigation, appropriate remedial and corrective action will be taken where warranted, including disciplinary action, up to and including immediate termination. PCE prohibits employees, supervisors, and managers from hindering internal investigations and the internal complaint procedure. All complaints of unlawful misconduct reported to the CEO (or the Chair of the PCE Board) will be treated as confidentially as possible, consistent with PCE's need to conduct an adequate and thorough investigation.

Violation of this policy will subject an employee to disciplinary action, up to and including immediate termination. Moreover, any employee, supervisor or manager who condones

or ignores potential violations of this policy will be subject to appropriate disciplinary action, up to and including termination. Additionally, under California law, employees may be held personally liable for harassing conduct that violates the California Fair Employment and Housing Act.

Pursuant to California law, PCE as a public employer requires that all supervisory employees take at least two hours of sexual harassment training every two years. Employees promoted to a supervisory position are required to take their first training within six (6) months of promotion. The Executive Assistant to the CEO will monitor and maintain records of all required trainings. PCE will provide the training through an on-line course.

3.104 Protecting PCE Information

Effective Date: 09/2018

Protecting PCE's information is the responsibility of every employee. You are not to discuss PCE's confidential business or proprietary business matters, or share confidential, personal employee information (such as social security numbers, personal banking or medical information) with anyone who does not work for us such as friends, family members, members of the media, or other business entities.

Upon commencement of employment, each PCE employee must sign the [PCE Confidentiality Agreement](#)

(<https://peninsulacleanenergy.box.com/s/30e7lahyg17uzmxdibsqdupp9u525z06>). The protection of confidential business information and trade secrets is vital to the interest and success of PCE. Such confidential information includes, but is not limited to, the following examples:

- Computer programs and codes
- Customer lists and information
- Customer preferences
- Financial information
- Power supply information
- Marketing strategies
- Pending projects and proposals
- Research and development strategies

Employees who improperly use or disclose trade secrets or confidential business information will be subject to disciplinary action, up to and including termination of employment, even if they do not actually benefit from the use or disclosure.

As a public agency, PCE is subject to the California Public Records Act and the open meeting requirements of the Brown Act. Disclosures of information in compliance with these or any other open government requirement is not a violation of this policy. However, employees with access to PCE information are required to follow applicable policies, procedures, and supervisory direction when disclosing information to the public so that PCE may assure that the information released is complete, accurate and properly presented. For more information please see PCE's [Customer Confidentiality Policy](https://www.peninsulacleanenergy.com/wp-content/uploads/2017/01/PCE-Policy-2-final.pdf) (<https://www.peninsulacleanenergy.com/wp-content/uploads/2017/01/PCE-Policy-2-final.pdf>).

Confidential information does not include information pertaining to the terms and conditions of an employee's employment, including wages. Nothing in this policy is designed to limit an employee's rights under Section 7 of the National Labor Relations Act.

3.105 Use of Personal Devices, including PCE Issued Devices

Effective Date: 09/2018

Upon employment with PCE you will be issued a PCE encrypted laptop. Due to the confidential nature of information at PCE, it is PCE's policy that you are not to utilize any other laptop or similar device (including but not limited to tablets, laptops, or computers) to conduct PCE business. Employees must physically secure their PCE issued devices against theft, loss or unauthorized use, including the use of password protection. This is especially critical if your job duties require you to use your PCE device outside the office. All PCE issued devices will be provided with a temporary password which you will be able to change upon your first log in. If any PCE device is lost or stolen, you must immediately contact your immediate supervisor who will notify the appropriate level of management so that your laptop is completely deactivated.

PCE's IT security policy provides that all PCE work product be stored on the cloud storage system, BOX. Work product, even temporary in process files, must all be file saved to BOX. Since the BOX is a cloud storage system and your PCE issued laptops are encrypted, you would be able to access files while not in the office in a protected fashion.

Modern means of communication includes the frequent use of cell/smart phones. PCE does not provide PCE issued cell/smart phones. As a result, you will be required to use your personal cell/smart phone for PCE business. PCE related business usage of your cell/smart phone will be dependent upon your job position and description. A taxable phone allowance will be provided to all employees to compensate them for the use of their personal device for PCE business.

Non-exempt employees may not use their personal devices for work purposes outside of their normal work schedule without authorization in advance from their immediate

supervisor. This includes but is not limited to reviewing, sending, and responding to e-mails or text messages, and responding to or making calls. Time spent by non-exempt employees using their own devices to perform work outside of regular working hours must be included on their time sheet.

Employees are expected to exercise the same discretion in using their personal devices while working as is required for using PCE owned devices. This includes, but is not limited to, compliance with PCE policies pertaining to harassment, discrimination, retaliation, trade secrets, proprietary business and confidential information, electronic communications, and ethics. Employees must also comply with all applicable state, federal and local laws governing the use of such electronic devices. Failure to follow policies, procedures and/or applicable laws may result in disciplinary action up to and including termination of employment.

3.106 Smoking in the Workplace

Effective Date: 09/2018

PCE is committed to providing a safe and healthy environment for employees and visitors. Smoking, including the use of e-cigarettes, is not permitted. In addition, local ordinances and provisions of our office lease regarding smoking must be adhered to. Violations of this policy may result in disciplinary action, up to and including termination of employment.

3.107 Drug and Alcohol Use

Effective Date: 09/2018

It is PCE's desire to provide a drug-free, alcohol-free, healthful, and safe workplace. To comply with the federal Drug-Free Workplace Act of 1988, PCE requires that an employee not report to work if his or her ability to perform his or her job duties is impaired due to alcohol or drug use. Further, PCE employees shall not use alcohol or illegal drugs and/or prescription drugs without a prescription during work hours, breaks, or at any time while on paid status and/or on work premises. Exceptions to the use of alcohol on work premises for special events may be made at the sole discretion of the CEO of PCE.

No employee shall directly or through others sell or provide illegal or illegally obtained drugs while in a paid status.

An employee who is convicted of a criminal drug violation occurring in the workplace must notify his or her supervisor as soon as possible.

PCE will attempt to reasonably accommodate an employee with chemical dependencies (alcohol or drugs), if the employee voluntarily wishes to seek treatment and/or rehabilitation before being found in violation of this policy. Employees desiring that assistance should request an unpaid treatment or rehabilitation leave of absence. For more information, see Section 7.115 – Rehabilitation Leave.

PCE support for treatment and rehabilitation does not obligate PCE to employ any person who violates the PCE drug and alcohol abuse policy or whose job performance is impaired because of substance abuse. PCE is also not obligated to continue to employ any person who has participated in treatment or rehabilitation if that person's job performance remains impaired as a result of alcohol or drug dependency.

Your employment or continued employment with PCE is conditioned upon your full compliance with the foregoing policy. Any violation of this policy may result in disciplinary action, up to and including termination of employment. Further, any employee who violates this policy who is subject to termination of employment, may be permitted in lieu of termination of employment, at PCE's sole discretion, to participate in and successfully complete an appropriate treatment, counseling or rehabilitation program as recommended by a substance abuse professional as a condition of continued employment and in accordance with applicable federal, state, and local laws.

Various federal, state, and local laws protect the rights of individual with disabilities and others with regard to the confidentiality of medial information, medical treatment, and the use of prescription drugs and substances taken under medical supervision. Nothing contained in this policy is intended to violate such regulations or interfere with individual rights thereunder.

3.108 Drug Testing

Effective Date: 09/2018

PCE is committed to providing a safe, efficient, and productive work environment for all employees. In support of this commitment, PCE seeks to provide a workplace that is free from the harmful effects of drug and alcohol abuse. To further its interest in service to the community, avoiding accidents, promoting and maintaining a safe and productive workplace and protecting PCE property, equipment, and operation, PCE may conduct drug and alcohol testing, as provided in this policy. This policy is intended to apply to all employees, regardless of appointment type or time basis, including, without limitation, full-time, part-time, regular, temporary and management employees.

Using or being under the influence of drugs or alcohol on the job may pose serious safety and health risks. It is also a violation of PCE policy. Please see the policy on Drug and Alcohol Use in Section 3.107 above. To help ensure a safe and healthful

working environment, job applicants and employees may be subject to drug and alcohol testing and may be asked to provide body substance samples (such as urine) to determine the use of drugs or alcohol in violation of PCE policies under the following circumstances:

- **Pre-employment/promotional testing**: Employees being hired or promoted may be required to pass a drug test as a condition of the offer or promotion. An employee will only be asked to complete testing after a conditional offer of employment or promotion is made. Such an offer is contingent on passing the drug test.
- **Reasonable suspicion testing**: Employees will be subject to testing where there is reasonable suspicion that the employee has violated this policy or the policy on Drug and Alcohol Use. Reasonable suspicion is the good faith belief based on specific articulable perception and reasonable inferences drawn from such perceptions that an employee may have violated this policy and that testing may reveal facts and evidence related to that perceived violation. Perceptions or reasonable inferences supporting reasonable suspicion may include, but are not limited to, an employee's manner, disposition, muscular movement, appearance, unusual behavior, speech or breath odor; information provided by an employee, law enforcement official or other person believed to be reliable; or other surrounding circumstances. For purposes of ordering testing, reasonable suspicion will only exist where the CEO and another member of PCE's executive leadership team has reviewed circumstances in a particular case and concurs in the finding of reasonable suspicion.
- **Follow up testing**: An employee who has been found to be in violation of this policy or the Drug and Alcohol policy may be required to submit to periodic, unannounced testing for one year, starting on a date established by the CEO.

For testing, the applicant or employee will be referred to an independent Substance Abuse and Mental Health Services Administration (SAMHSA) certified medical clinic or laboratory, which will administer the test. PCE will pay the cost of the test and reasonable transportation cost to the testing facility. The applicant or employee will have an opportunity to alert the clinic or laboratory personnel to any prescription or non-prescription drugs that she or he has taken that may affect the outcome of the test. Positive results from initial screening will be confirmed by a second testing method and will not be reported as positive without confirmation. In the event of a reported positive test, the applicant or employee may have the same sample retested at a laboratory of the employee's choice at the employee's expense.

Testing or drug testing under this policy may include amphetamines and methamphetamines, cocaine, marijuana/cannabinoids (THC), opiates (narcotics), phencyclidine (PCP), barbiturates, benzodiazepines, methaqualone, and alcohol. Cut-off levels for determining a positive test will be those established in the SAMHSA

Mandatory Guidelines for Federal Drug Testing Programs. The cut-off level for a positive alcohol test (both initial and confirmation) will be 0.02 percent (0.02 gm/210 liters of breath or 0.02 gm/deciliter of blood or 0.02 mg/ml of urine). Testing will normally be performed by urinalysis or, for alcohol testing, may also include breath testing. The substances for which drug and alcohol tests are performed and cut-off levels may be modified from time-to-time with prior written notice from the Chief Executive Officer or amendment of this policy.

If an applicant or employee who is subject to testing refuses to cooperate with the administration of the test, the refusal will be considered a positive test result. A refusal to cooperate includes, but is not limited to, refusing to appear for a test; unreasonably failing to submit a sample for testing; tampering with, substituting, adulterating, masking or water-loading a sample; or obstructing or not fully cooperating with testing procedures.

All records of the circumstances and results of substance testing under this policy will remain confidential applicant or personnel records. Laboratory reports and test results will be maintained in a file separate from an employee's personnel file. Information may only be released to the employee who was tested or other individuals designated in writing by the employee; to a medical review officer; to the extent necessary to properly supervise or assign the employee; as necessary to determine what action should be taken in response to the test results and for use in responding to appeals, litigation or administrative proceedings arising from or related to the test or related actions.

Questions concerning this policy or its administration should be directed to the CEO.

3.109 [Not Used]

3.110 Attendance and Punctuality

Effective Date: 09/2018

Attendance and punctuality are important factors for your success within PCE. We work as a team and this requires that each person be in the right place at the right time.

If you are going to be late for work or absent, notify your supervisor as far in advance as is feasible under the circumstances, but before the start of your workday. If you are absent for three days without notifying PCE, it is assumed that you have voluntarily abandoned your position with PCE, and you will be removed from the payroll. [Refer to Section 2.112]

While the management of PCE recognizes that at times employees may need to work remotely due to circumstances out of their control, e.g., a sick child or parent, PCE does

not advocate a policy of “telecommuting”. At all times, employees are expected to conduct their official PCE duties at PCE’s office or, as applicable, at a vendor’s place of business or other site location. In the event an employee does need to telecommute, such accommodation must be approved by your supervisor. We would anticipate that such accommodations would only be necessary if there is a mandatory deadline of some work project/product that cannot be extended. Absent such extenuating circumstances, the employee may be required to take a compensated absence. Exceptions to this policy require approval by the CEO.

3.111 Personal Appearance

Effective Date: 09/2018

Employees are expected to maintain high standards of personal cleanliness and present a neat and professional appearance.

Our customers' satisfaction represents the most important and challenging aspect of our business. Whether or not your job responsibilities place you in direct customer contact, you represent PCE with your appearance as well as your actions. The properly-attired individual helps to create a favorable image for PCE, to the public and fellow employees. PCE maintains a business casual environment. All employees should use discretion in wearing attire that is appropriate for their job.

3.112 Non-Solicitation

Effective Date: 09/2018

PCE believes employees should have a work environment free from interruptions of a non-work-related nature, as work time is for work. When working you should focus on your duties and not engage in activities that would interfere with your own work or the work of others. For purposes of this policy, solicitation includes, but is not limited to, collection of any debt or obligation, raffles of any kind or chance taking, or the sale of merchandise or business services, the attempt to sell any product or service (e.g., selling or collecting for Tupperware®, Avon® products, churches, schools, Girl Scout cookies, etc.). Such interruptions can be both detrimental to the quality of work and efficiency and may not be respectful of others job responsibilities.

Employees may not engage in solicitation for any purpose during his/her work time, which includes the working time of the employee who seeks to solicit and the employee who is being solicited. Although solicitation is not encouraged, it is permitted if it is limited to the employee's break and lunch time and kept out of active working areas. Nothing in this policy is intended to restrict an employee's statutory rights, including discussing terms and conditions of employment.

3.113 Distribution

Effective Date: 09/2018

Distribution of any type (materials, goods, paper) by employees is prohibited in work areas at any time, whether or not the employees are on working time. Electronic distribution is subject to [PCE's Acceptable Use of Electronic Communications Policy \(https://peninsulacleanenergy.box.com/s/0dhpqgnigh1q3xqgfrqznw2yp0zcdortz\)](https://peninsulacleanenergy.box.com/s/0dhpqgnigh1q3xqgfrqznw2yp0zcdortz) and may not occur during the employee's working time. Non-employees are prohibited from distributing materials to employees on PCE premises at any time. Literature that violates PCE's EEO and No Harassment policies, including threats of violence, or that is knowingly and recklessly false is never permitted. Nothing in this policy is intended to restrict an employee's statutory rights, including discussing terms and conditions of employment.

3.114 Acceptable Use of Electronic Communications/Workplace Monitoring

Effective Date: 09/2018

This policy contains guidelines for electronic communications created, sent, received, used, transmitted, or stored using PCE's communication systems or equipment and employee provided systems or equipment used either in the workplace, during working time or to accomplish work tasks. "Electronic communications" include, among other things, messages, images, text data or any other information used in e-mail, instant messages, text messages, voice mail, fax machines, computers, personal digital assistants (including tablets or similar devices), pagers, telephones, cellular and mobile phones including those with cameras, Intranet, Internet, back-up storage, information on a memory or flash key or card, jump or zip drive or any other type of internal or external removable storage drives. In the remainder of this policy, all these communication devices are collectively referred to as "systems."

Acceptable Uses of Our Systems: Employees may use our systems to communicate internally with co-workers or externally with customers and other business acquaintances for business purposes.

PCE Control of Systems and Electronic Communications: All electronic communications contained in PCE systems are PCE records and/or property. Although an employee may have an individual password to access our systems, the systems and communications belong to PCE. The systems and electronic communications are accessible to PCE at all times, including periodic unannounced inspections. Our systems and electronic communications are subject to use, access, monitoring, review, recording and disclosure without further notice. Employee communications on our system are not confidential or private.

PCE's maintains the right to access, monitor, record, use, and disclose electronic communications sent on PCE systems without further notice to the employee.

Personal Use of Our Systems: Personal communications in our systems are treated the same as all other electronic communications and will be used, accessed, recorded, monitored, and disclosed by PCE at any time without further notice. Since all electronic communications and systems can be accessed without advance notice, employees should not use our systems for communication or information that employees would not want revealed to third parties.

Proprietary Business Information: Proprietary business information means confidential and proprietary information related to PCE's trade secrets, business models, business services, sales agreements, pricing information, customer lists, inventions, vendor agreements, strategic business or marketing plans, expansion plans, contracts, non-public financial performance information and other information that derives economic value by being protected from public consumption or competitors, and may only be used on PCE systems. Proprietary business information **may not** be downloaded, saved, or sent to a personal laptop, personal storage device, or personal email account under any circumstances. Proprietary business information does not restrict employee rights to discuss their wages, hours or other terms of employment.

Prohibited Uses of Our Systems: Employees may not use PCE systems in a manner that is unlawful, wasteful of PCE resources, or unreasonably compromises employee productivity or the overall integrity or stability of PCE's systems. These tools are provided to assist employees with the execution of their job duties and should not be abused. Examples of prohibited uses include, among other things, sexually explicit messages, images, cartoons, or jokes; propositions or love letters; ethnic or racial slurs; or any other message or image that may be in violation of company policies.

In addition, employees may not use PCE systems:

- To download, save, send or access any discriminatory, obscene, or malicious or knowingly false material;
- To download, save, send or access any music, audio or video file unless business related;
- To download anything from the internet (including shareware or free software);
- To download, save, send or access any site or content that PCE might deem "adult entertainment;"
- To attempt or to gain unauthorized or unlawful access to computers, equipment, networks, or systems of PCE or any other person or entity;
- In connection with any infringement of intellectual property rights, including but not limited to copyrights;
- In connection with the violation or attempted violation of any law; and

- To improperly transmit proprietary business information or client material such as pricing information or trade secrets.

Electronic Forgery: An employee may not misrepresent, disguise, or conceal his or her identity or another's identity in any way while using electronic communications; make changes to electronic communications without clearly indicating such changes; or use another person's account, mail box, password, etc. without prior written approval of the account owner and without identifying the actual author.

Intellectual Property Rights: Employees must always respect intellectual property rights, including copyrights and trademarks.

System Integrity, Security, and Encryption: PCE contracts with an IT service provider – All Covered – to provide various IT support, including security. PCE encrypts all computers to maintain system integrity and security. All systems passwords and encryption keys must be available and known to PCE's IT service provider. Employees may not install password or encryption programs. Employees may not use the passwords and encryption keys belonging to others.

Applicable Laws: Numerous state and federal laws apply to electronic communications. PCE complies with applicable laws. Employees also must comply with applicable laws and should recognize that an employee could be personally liable and/or subject to fine and imprisonment for violation of applicable laws.

Consequences of Policy Violations: Violations of this policy may result in disciplinary action up to and including immediate termination of an employee's employment as well as possible civil liabilities or criminal prosecution. Where appropriate, PCE may advise legal officials or appropriate third parties of policy violations and cooperate with official investigations. We will not, of course, retaliate against anyone who reports possible policy violations or assists with investigations.

If you have questions about the acceptable use of our systems or the content of electronic communications, ask the Chief Executive Officer for clarification.

3.115 Company Document Management

PCE uses the cloud-based platform BOX (www.box.com) as a document management system. All employees are required to save all PCE related documents on BOX without exception. This will allow PCE to access the documents in the event of lost laptop/Mac and maintain the security of PCE documents.

3.116 Social Media

“Social media” includes all means of communicating or posting information or content of any sort on the Internet, including an employee’s own or someone else’s web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or chat room, whether or not the platform is associated or affiliated with PCE.

In general, all official PCE social media postings will be managed by the Communication and Outreach department.

To protect PCE’s interests, employees must adhere to the following rules:

- Other than for PCE business purposes, employees may not post on a personal blog or personal social networking site during their work hours or at any time using PCE equipment or property. PCE’s electronic communication systems are for business use only.
- If an employee identifies himself or herself as an employee of PCE on any social networking site for purposes other than PCE-authorized business purposes, the communication must include a disclaimer that the views expressed do not necessarily reflect the view of the PCE management.
- All rules regarding confidential business information apply to blogs and social networking sites. Any information that cannot be disclosed through a conversation, a written note, or an e-mail also cannot be disclosed on a blog or social networking site. The transmission of confidential or proprietary information without the permission of PCE is prohibited.
- If an employee mentions PCE in a blog or elsewhere on social media, or it is reasonably clear that the employee is referring to PCE or a position taken by PCE, and also expresses a political opinion or an opinion regarding PCE’s position, action, or products, the post must specifically disclose the employee’s relationship with PCE and note that the opinion expressed is a personal opinion and not PCE’s position.
- Any conduct which is impermissible under law if expressed in any other form or forum is impermissible if expressed through a social networking site. For example, posted material that is discriminatory, defamatory, libelous, or malicious is forbidden. PCE’s policies, including but not limited to the Equal Employment Opportunity, Sexual Harassment, Harassment and Workplace Violence policies apply equally to employee comments on social networking sites even if done on nonworking time.

Nothing in this policy is designed to limit an employee's right under Section 7 of the National Labor Relations Act, including discussing wages or other terms of employment. If you have questions or need further guidance, please contact the Communications and Outreach Manager.

3.118 [Not used]

3.119 Contact with PCE

Effective Date: 09/2018

The whereabouts of PCE employees during business hours should be known to his or her supervisor as well as the Executive Assistant. All PCE employees shall keep an updated electronic calendar reflecting his or her whereabouts during work hours.

3.120 Customer and Public Relations

Effective Date: 09/2018

PCE's reputation is built on excellent service and quality work. To maintain this reputation requires the active participation of every employee.

The opinions and attitudes that customers (and vendors) have toward PCE may be influenced by the actions of one employee for a long period of time. It is sometimes easy to take a customer for granted, but when this occurs, we run the risk of losing not only that customer, but his or her associates, friends, or family who may also be customers or prospective customers. Each employee must be sensitive to the importance of providing courteous treatment in all working relationships.

SECTION 4: WORKING CONDITIONS

4.101 Expectation of Privacy

Effective Date: 09/2018

PCE reserves the right to search, without employee consent, all areas over which PCE maintains control or joint control with the employee. Therefore, employees should have no expectation of privacy at PCE or joint controlled workplace areas which include, but are not limited to, offices, cubicles, work locations, employer provided or designated parking areas, desk, computers (including electronic files), voicemail, e-mail, PCE issued cell phones, or rest or eating areas.

Desks, file cabinets, and other storage devices, including electronic storage, may be provided for the convenience of employees but remain the sole property of PCE. Accordingly, they, as well as any articles found within them, can be inspected by any supervisor or other authorized representative of PCE at any time, with or without prior notice.

4.102 Performance Reviews

Your performance is important to PCE. Once each year, on or about your anniversary date, your supervisor will review your job progress within PCE and help you set new job performance plans.

New employees will generally be reviewed at the end of their introductory period. (Refer to 6.101 for definition)

Our performance review program provides the basis for better understanding between you and your supervisor, with respect to your job performance, potential and development within PCE.

The Executive Assistant to the CEO will monitor the timely completion of the annual performance reviews.

4.103 Coaching, Counseling, and Progressive Discipline

Notwithstanding 4.102, your employment at PCE is at-will and as such may be terminated without advance notice, with or without reason or cause, and without right of appeal. PCE in its sole discretion as an at-will employer maintains the right to provide coaching, counseling, and progressive discipline to employees. Such coaching, counseling, and/or progressive discipline will be provided if, in the opinion of management, it would be of mutual benefit to PCE and the employee.

While performance reviews are generally thought of as being a positive, skill-building process, coaching, counseling, and progressive discipline will be employed, when considered necessary so that employee issues can be corrected at early stage, assist the employee to correct the problem, prevent reoccurrence, and prepare the employee for satisfactory performance in the future.

If disciplinary action is deemed warranted, it may call for any of five steps – verbal warning, written warning, suspension with or without pay, demotion, or termination of employment.

If a supervisory employee believes an employee needs to be coached, counseled, or disciplined, such conversations will take place with two management/supervisory employees present. Prior to any discussions, the matter should be discussed with the CEO to ensure that the actions being contemplated are appropriate.

4.104 Talk to Us

Effective Date: 09/2018

We encourage you to bring your questions, suggestions and complaints to our attention. We will carefully consider each of these in our continuing effort to improve operations.

If you believe you have a problem, present the situation to your supervisor so that the problem can be settled by examination and discussion of the facts. We hope that your supervisor will be able to satisfactorily resolve most matters.

If you still have questions after meeting with your supervisor or if you would like further clarification on the matter, request a meeting with the Chief Executive Officer. (S)he will review the issues and meet with you to discuss possible solutions.

Your suggestions and comments on any subject are important, and we encourage you to take every opportunity to discuss them with us. If at any time you do not feel comfortable speaking with your supervisor or the next level of management, you may discuss your concern with any other member of management with whom you feel comfortable.

4.105 Safety

Effective Date: 09/2018

Safety can only be achieved through teamwork at PCE. Each employee, supervisor and manager must practice safety awareness by thinking defensively, anticipating unsafe situations, and reporting unsafe conditions immediately.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must comply with all occupational safety and health standards and regulations established by the Occupational Safety and Health Act and state and local regulations. To this end, please observe the following precautions:

1. Notify your supervisor of any emergency situation. If you are injured or become sick at work inform your supervisor immediately. An employee fails to do so, receipt of workers' compensation benefits may be impacted.
2. Report all workplace injuries as soon as reasonably possible to your supervisor even if no medical treatment is required.
3. The use of alcoholic beverages or illegal substances during working hours will not be tolerated. The possession of alcoholic beverages or illegal substances on PCE's property is forbidden, unless at a work-related or special function. Reference should be made to Section 3.107.
4. Use, adjust, and/or repair machines and equipment only if you are trained and qualified.
5. Know the proper lifting procedures. Get help when lifting or pushing heavy objects.
6. Understand your job fully and follow instructions. If you are not sure of the safe procedure, do not guess; inquire with your supervisor.
7. Know the locations, contents and use of first aid and fire-fighting equipment.
8. Comply with applicable OSHA standards and/or applicable job safety and health standards as posted.

Some of the best safety improvement ideas come from employees. Those with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to raise them with their supervisor, or with another supervisor or manager. Reports and concerns about workplace safety issues may be made anonymously if the employee wishes. All reports can be made without fear of retaliation.

A violation of a safety precaution is an unsafe act. A violation may lead to disciplinary action, up to and including termination of employment.

4.106 Visitors

Effective Date: 09/2018

If you are expecting a visitor, please notify your supervisor. All visitors must first check in at the reception area. Visitors are not allowed in any locked and/or secured area of the building without being accompanied by an authorized employee. Under no circumstances will visitors be allowed in confidential and/or unauthorized areas.

4.107 Workplace Violence

Effective Date: 09/2018

Violence by an employee or anyone else against an employee, supervisor or member of management will not be tolerated. The purpose of this policy is to minimize the

potential risk of personal injuries to employees at work and to reduce the possibility of damage to PCE property in the event someone, for whatever reason, may be unhappy with a PCE decision or action by an employee or member of management.

If you receive or overhear any threatening communications from an employee or outside third party, report it to the Chief Executive Officer at once. Do not engage in either physical or verbal confrontation with a potentially violent individual. If you encounter an individual who is threatening immediate harm to an employee or visitor to our premises, contact an emergency agency (such as 911) immediately.

All reports of work-related threats will be kept confidential to the extent possible, investigated and documented. Employees are expected to report and participate in an investigation of any suspected or actual cases of workplace violence and will not be subjected to disciplinary consequences for such reports or cooperation. Violations of this policy, including your failure to report or fully cooperate in PCE's investigation, may result in disciplinary action, up to and including termination of employment.

Possession, use, or sale of weapons, firearms or explosives on work premises, while operating PCE equipment or vehicles for work-related purposes or while engaged in PCE business off premises is forbidden except where expressly authorized by PCE and permitted by state and local laws. This policy applies to all employees, including but not limited to, those who have a valid permit to carry a firearm.

If you are aware of violations or threats of violations of this policy, you are required to report such violations or threats of violations to the Chief Executive Officer immediately.

Violations of this policy will result in disciplinary action, up to and including termination of employment.

4.108 [Not used]

Effective Date: 09/2018

4.109 [Not used]

Effective Date: 09/2018

4.110 PCE [Not used]

Effective Date: 09/2018

4.111 Travel/Expense Accounts

Effective Date: 09/2018

PCE will reimburse employees for reasonable expenses incurred through pre-approved business travel or business entertainment. All cash advances must be accounted for and expense receipts are required.

If you are an employee NOT subject to the taxable auto allowance, the following business expenses will be reimbursed, subject to pre-approval:

- Travel Expense, including cab or peer-to-peer ride sharing services
- Automobile/Mileage (rate per mile will be reimbursed at the prevailing IRS rate. As of January 1, 2018, the rate is \$.545/mile)

All employees will have the following business expenses reimbursed, subject to pre-approval:

- Airfare or train travel in coach or economy class, or equivalent if personal car is used
- Car rental fees, only for compact or mid-sized cars
- Lodging
- Tips and incidental expenditures
- Cost of meals, no more lavish than would be eaten at the employee's own expense (any alcohol expenses excluded)

This list is not all-inclusive. See the Chief Financial Officer or Chief Operating Officer regarding additional reimbursable business expenses.

Certain employees, Directors and Managers, will be provided a taxable auto allowance monthly which is paid in lieu of submitting for reimbursements for miles driven for PCE business.

SECTION 5: BENEFITS

5.101 Employee Benefits

Effective Date: 09/2018

PCE has developed a comprehensive set of employee benefit programs to supplement our employees' regular wages. Several of the programs (e.g., Social Security, workers' compensation, state disability, and unemployment insurance) cover all employees in the manner prescribed by prevailing law.

This Employee Handbook describes the benefit plans maintained by PCE as of the date of publication of the handbook. Refer to the actual plan documents and summary plan descriptions if you have specific questions regarding the most up to date benefit plan.

PCE reserves the right to modify and/or terminate its benefits at any time. We will keep you informed of any changes.

- Summary plan documents can be found through these links:
 - - Medical – [link to the SPD in box]
 - Dental – [link to the SPD in box]
 - Vision – [link to the SPD in box]
 - Life Insurance – [link to the SPD in box]
 - Flexible Spending, Section 125 Plan –
[\[https://peninsulacleanenergy.app.box.com/file/245231810300\]](https://peninsulacleanenergy.app.box.com/file/245231810300)
 - Retirement Plans: Mass Mutual 401 (a) Plan and 457 (b) Plan
[\[https://peninsulacleanenergy.app.box.com/file/280756722572\]](https://peninsulacleanenergy.app.box.com/file/280756722572)

5.101(a) Medical Insurance

Effective Date: 09/2018

Eligible full-time employees may enroll in an employee only, an employee plus dependents, an employee plus spouse, or a family contract immediately upon hire. Eligibility may be defined by state law and/or by the insurance contract. Participating employees are also covered under our medical insurance plan's prescription drug program.

To assist you with the cost of this insurance, PCE pays a portion of an employee only, an employee plus dependents, an employee plus spouse, or a family contract. You are responsible for paying the balance through payroll deduction.

At the end of your employment, you may be entitled to continuation or conversion of the group medical insurance plan in accordance with the terms of the policy and/or applicable state and federal law. In the event of employment termination, you will be provided the necessary information. Further information can be found at Section 5.108.

Refer to the actual plan document and summary plan description (link located at Section 5.101) if you have specific questions regarding your eligibility for coverage or other aspects of this benefit plan. Those documents are controlling.

Enrollment forms and a booklet containing the details of the plan and eligibility requirements are contained in your on-boarding materials. Completed forms should be returned to the Chief Financial Officer.

5.101(b) Dental Insurance

Effective Date: 09/2018

Eligible full-time employees may enroll in an employee only, an employee plus dependents, an employee plus spouse or a family contract on the first day of the month following start of employment. (For example: Hire date: 4/15/18; eligible for benefits: 5/1/18)

To assist you with the cost of this insurance, PCE pays a portion of employee only, employee plus dependents, employee plus spouse or a family contract. You are responsible for paying the balance through payroll deductions.

At the end of your employment, you may be entitled to continuation or conversion of the group dental insurance plan in accordance with the terms of the policy and/or applicable state and federal law. In the event of employment termination, you will be provided the necessary information. Further information can be found at Section 5.108.

Refer to the actual plan document and summary plan description (link located at Section 5.101) if you have specific questions regarding your eligibility for coverage or other aspects of this benefit plan. Those documents are controlling.

Enrollment forms and a booklet containing the details of the plan and eligibility requirements are contained in your on-boarding materials. Completed forms should be returned to the Chief Financial Officer.

5.101(c) Vision Care Plan

Effective Date: 09/2018

Eligible full-time employees may enroll in this plan on the first day of the month following thirty days of employment. (Refer to example at 5.101(b))

To assist you with the cost of this insurance, PCE pays a portion of an employee only, an employee plus dependents, an employee plus spouse or a family contract. You are responsible for paying the balance through payroll deduction.

At the end of your employment, you may be entitled to continuation or conversion of the group dental insurance plan in accordance with the terms of the policy and/or applicable state and federal law. In the event of employment termination, you will be provided the necessary information. Further information can be found at Section 5.108.

Refer to the actual plan document and summary plan description (link located at Section 5.101) if you have specific questions regarding your eligibility for coverage or other aspects of this benefit plan. Those documents are controlling.

Enrollment forms and a booklet containing the details of the plan and eligibility requirements are contained in your on-boarding materials. Completed forms should be returned to the Chief Financial Officer.

5.101(d) Social Security and Unemployment Insurance

Effective Date: 09/2018

During your employment, you and PCE both contribute funds to the federal government to support the Social Security program. This program is intended to provide you with retirement benefit payments and medical coverage once you reach retirement age.

Unemployment Insurance - Upon separation from employment from PCE, you may be entitled to state and federal unemployment insurance benefits. In the event of employment termination, required documents regarding eligibility will be shared with you. Please direct questions to the Chief Financial Officer and/or the Chief Executive Officer.

5.101(e) Life Insurance

Effective Date: 09/2018

Eligible full-time employees may enroll in this plan on the first day of the month following thirty days of employment. (Refer to example at 5.101(b)) You must complete an insurance form and designate your beneficiary.

Refer to the actual plan document and summary plan description (link located at Section 5.101) if you have specific questions regarding your eligibility for coverage or other aspects of this benefit plan. Those documents are controlling.

Enrollment forms and a booklet containing the details of the plan and eligibility requirements are contained in your on-boarding materials. Completed forms should be returned to the Chief Financial Officer.

5.101(f) Section 125 Plans

Effective Date: 09/2018

PCE offers a pretax contribution option for employees. This employee benefit is known as a Section 125 plan.

A Section 125 plan is a benefit plan that allows you to make contributions toward premiums for medical insurance, vision care insurance and out-of-pocket medical expenses or dependent care expenses on a “before tax”, rather than an “after tax” basis. Your premium contributions and qualified expenses are deducted from your gross pay before income taxes and Social Security is calculated. If you wish to participate in this plan, enrollment forms are contained in your on-boarding materials. Completed forms should be returned to the Chief Financial Officer.

You cannot make any changes to your pretax contributions until the next open enrollment period unless your family status changes or you become eligible for a special enrollment period due to a loss of coverage. We will notify you in advance of any open enrollment period. Family status changes include: marriage, divorce, death of a spouse or child, birth or adoption of a child or termination of employment of your spouse. A change in election due to a change in family status shall be effective the next pay period.

5.101(g) Retirement Plan

Effective Date: 09/2018

PCE provides eligible employees with a defined contribution plan administered by the County of San Mateo. This plan is intended to be used in combination with your Social Security benefits and personal resources to provide you with supplemental income upon retirement. Summary details of the plan are as follows:

- a) Employer provides 6% of salary in 401(a) plan; employer provides additional 4% if matched by employee contributions in 457(b) plan described below. Employer contributions vest in equal amounts over four (4) years.
- b) Employee can voluntarily contribute to 457(b) plan to IRS limits (\$18,000 per year; \$24,000 per year if over 50 years old); contributions are considered for the additional 4% employer match to the 401(a) plan.

The Summary Plan Description link is above in Section 5.101. In the event of any conflict in the description of any plan, the official plan documents, which are available for your review, shall govern. If you have any questions regarding this plan, please contact the plan administrator.

5.101(h) State Disability Insurance

Effective Date: 09/2018

All employees are eligible for disability insurance benefits when an illness, injury, or pregnancy-related disability prevents them from working and they meet all the eligibility requirements. The benefits are calculated as a percentage of your salary up to a weekly maximum, as specified by law, for up to fifty-two (52) weeks.

An employee who apply for this benefit must provide written notice of disability, including a doctor's certificate stating the nature of the disability and your expected date of return to work. An applying employee is responsible for filing a claim and other forms promptly and accurately with the Employment Development Department. A claim form may be obtained from the Employment Development Department by telephone, letter, or in person. The cost of this insurance is fully paid by the employee. See also Section 7.104 of this handbook regarding Disability/FMLA Leave.

5.102 Workers' Compensation

Effective Date: 09/2018

On the job injuries are covered by our Workers' Compensation insurance policy. This insurance is provided at no cost to you. If you are injured on the job, no matter how slightly, report the incident to your immediate supervisor as soon as reasonably possible. Consistent with applicable state law, failure to report an injury within a reasonable time period could jeopardize your claim. We ask for your assistance in alerting management to any condition that could lead to or contribute to an employee accident.

5.103 Injury and Illness Prevention Program (IIPP)

Effective Date: 09/2018

The following is PCE's IIPP as required by CalOSHA. Questions regarding this policy should be directed to the Executive Assistant to the CEO. The Executive Assistant is also charged with maintaining all the administrative information required under this policy.

A. Purpose

PCE is dedicated to providing a safe and healthy work environment for its employees. The IIPP is part of this effort and involves the participation by all PCE employees in assisting in the effort to ensure a work environment where employees can work in a safe and healthy manner.

B. Responsibility

All managers and supervisors are responsible for implementing and maintaining the IIPP in their work areas and for answering worker questions about the IIPP or directing them to the Chief Executive Officer or his/her designee.

C. Compliance

Management is responsible for ensuring that all safety and health policies and procedures are clearly communicated and understood by all employees. Managers are expected to enforce the rules fairly and uniformly.

All employees are responsible for using safe work practices, for following all directives, policies and procedures, and for assisting in maintaining a safe work environment. PCE's procedures to ensure that all employees comply with the rules and maintain a safe work environment include:

- a. Informing workers of the provisions of the IIPP;
- b. Recognizing employees who perform safe and healthful work practices;
- c. Providing training to workers whose safety performance is deficient; and
- d. Counseling workers for failure to comply with safe and healthful work and taking progressive disciplinary steps if warranted. Note that PCE is an at-will employer and any employee may be terminated with or without cause or notice and without the right of appeal.

D. Communication

PCE recognizes that open, two-way communication between management and staff on health and safety issues is essential to an injury-free, productive workplace. The following system of communication is designed to facilitate a continuous flow of safety and health information between management and staff in a form that is readily understandable and consists of the following:

- a. New employee orientation including a discussion of safety and health policies and procedures;
- b. Review and updating of the IIPP as needed;
- c. Scheduling of workplace safety and health training programs, as needed;
- d. Effective communication of safety and health concerns between employees and supervisors, including translation where appropriate;
- e. Posted or distributed safety information; and

- f. A system for workers to anonymously inform management about workplace hazards.

E. Hazard Assessment

Inspection to identify and evaluate workplace hazards are performed by the Chief Executive Officer or his/her designee.

Periodic inspections are performed according to the following schedule:

- a. On or around the date that the IIPP is established (September 2018)
- b. Twice per year, beginning six (6) months after the program is established;
- c. When new substances, processes, procedures or equipment which present potential new hazards are introduced into the workplace;
- d. When new, previously unidentified hazards are recognized;
- e. When occupational injuries and illnesses occur; and
- f. Whenever workplace conditions warrant an inspection, such as a change in location or reconfigurations of work space.

Periodic inspection consists of identification and evaluation of workplace hazards, utilizing applicable sections of the [Hazard Assessment Checklist](https://www.dir.ca.gov/dosh/etools/09-031/HazAssessCheck.pdf) (<https://www.dir.ca.gov/dosh/etools/09-031/HazAssessCheck.pdf>) and any other effective methods to identify and evaluate workplace hazards, such as reports from employees.

F. Accident/Exposure Investigations

Procedures for investigating workplace accidents and hazardous substance exposures include:

- a. Visiting/assessing the accident scene as soon as possible;
- b. Interviewing injured workers and witnesses;
- c. Examining the workplace for factors associated with the accident/exposure;
- d. Determining the cause of the accident/exposure;
- e. Taking corrective action to prevent the accident/exposure/incident from reoccurring; and
- f. Recording the finding and corrective actions taken.

G. Hazard Correction

Unsafe or unhealthy work conditions, practices, or procedures shall be addressed and corrected in a timely manner based on the severity of the hazards. Hazards shall be corrected according to the following procedures:

- a. When observed or discovered;
- b. When an imminent hazard exists which cannot be immediately abated without endangering employees and/or property, all exposed employees will be removed from the area; and
- c. All such actions taken and dates they are completed shall be documented on the appropriate forms.

H. Training and Instruction

All workers, including managers and supervisors, shall have training and instruction on general and job-specific safety and health practices. Training and instruction shall be provided as follows:

- a. When the IIPP is first established;
- b. To all new workers;
- c. To all workers given new job assignments for which training has not previously been provided (including employees who will be staffing events and meeting outside of the PCE office);
- d. Whenever new processes, procedures, equipment or substances are introduced to the workplace and may represent a hazard;
- e. Whenever PCE is made aware of a new or previously unrecognized hazard;
- f. To supervisors/managers to familiarize them with the safety and health hazards to which workers under their immediate direction and control may be exposed; and
- g. To all workers with respect to hazards specific to each employee's job assignment.

Some of the workplace safety and health practices PCE employees will be trained on include, but are not limited to:

- a. Explanation of the IIPP, emergency action and fire prevention plans, and measures for reporting any unsafe conditions, work practices, injuries and when additional instruction is needed;
- b. Public health hazards, such as exposure to and preventing communicable illnesses;
- c. Reacting to and reporting threats of personal safety when working off-site;
- d. Information about chemical hazards to which employees could be exposed and other hazard communication program information;
- e. Provision for medical services and first aid including emergency procedures;
- f. Safe procedures for lifting, cleaning, and adjusting equipment and furniture;
- g. Safe access to working areas;

- h. Protection from falls;
- i. Electrical hazards, with particular awareness of working around wet locations;
- j. Driver safety, including hands-free driving;
- k. Slips, falls, and back injuries;
- l. Ergonomic hazards, including proper lifting techniques and working on ladders or in a stooped posture for prolonged period at one time;
- m. Hazardous chemical exposures;
- n. Safety communication; and
- o. Physical hazards, such as heat/cold stress, noise, and non-ionizing radiation (such as microwaves).

In addition, PCE provides specific instructions to all workers regarding hazards unique to their job assignment, to the extent that such information was not already covered in other training.

5.106 Lactation Breaks

Effective Date: 09/2018

PCE will provide a reasonable amount of break time to accommodate an employee's need to express breast milk for the employee's child. The break time should, if possible, be taken concurrently with other break periods already provided. Non-exempt employees should clock out for any time taken that does not run concurrently with normally scheduled rest periods, and such time generally will be unpaid, in accordance with state law.

PCE will also make a reasonable effort to provide employees with the use of a room or other location in close proximity to the employee's work area, not to include a toilet stall, for the employee to express milk in private.

No provision of this policy applies or is enforced if it conflicts with or is superseded by any requirement or prohibition contained in a federal, state, or local law or regulation. If you have knowledge of such a conflict or a potential conflict you should contact your immediate supervisor.

5.107 No Pets in the Workplace

Effective Date: 09/2018

PCE is responsible for assuring the health and safety of all employees. In keeping with this objective, PCE does not permit employees to bring pets to work. Animals may pose a threat of infection and may cause allergic reactions in other employees. The only exception to this is if an employee or visitor requires a qualified service dog, as defined

by the Americans with Disabilities Act (ADA), California state law, or other relevant statute.

5.108 COBRA

Effective Date: 09/2018

You and/or your covered dependents will have the opportunity to continue medical and/or dental and vision benefits for a period of up to 36 months under the provisions of the Consolidated Omnibus Budget Reconciliation Act ("COBRA") when group medical and/or dental and vision coverage for you and/or your covered dependents would otherwise end due to your death or because:

- your employment terminates, for a reason other than gross misconduct; or
- your employment status changes due to a reduction in hours; or
- your child ceases to be a "dependent child" under the terms of the medical and/or dental and vision plan; or
- you become divorced or legally separated; or
- you become entitled to Medicare.

In the event of divorce, legal separation, or a child's loss of dependent status, you or a family member must notify the plan administrator within sixty (60) days of the occurrence of the event. The plan administrator will notify the individuals eligible for continuation coverage of their right to elect COBRA continuation coverage. For more information regarding COBRA, you may contact the Chief Financial Officer.

SECTION 6: PAYROLL

6.101 Categories of Employment

Effective Date: 09/2018

For purposes of this handbook, FULL TIME EMPLOYEES regularly work at least a 40-hour workweek. Working time does not include lunch periods or any other periods in which employees are not in paid status. For other purposes, such as eligibility for health care benefits, the definition of FULL TIME EMPLOYEES may be different.

PART TIME EMPLOYEES work less than 30 hours each week.

In addition to the preceding categories, employees are also categorized as "exempt" or "non-exempt."

NON-EXEMPT EMPLOYEES are entitled to overtime pay as required by applicable law.

EXEMPT EMPLOYEES are not entitled to overtime pay and may also be exempt from minimum wage requirements pursuant to applicable federal and state laws. Managers and directors, who are by definition exempt, have defined job responsibilities that may require additional time over and above the standard work week, including attendance at evening meetings or on weekends. Reference should be made to 7.101.

Upon hire, PCE will notify you of your employment classification.

6.101(a) Anniversary Date

Effective Date: 09/2018

The first day you report to work will be recorded in PCE's records as your anniversary date. This date is used to calculate the many different benefits PCE offers. If you have any questions regarding your anniversary date, please see your supervisor.

6.102 Licensing Requirements

Effective Date: 09/2018

Driver's License/Driving Record – Employees holding positions where the operation of a motor vehicle is an essential duty of the position must present and maintain a valid driver's license and acceptable driving record. PCE will be responsible for providing such information to our insurer. Changes to your driving record must be reported to your supervisor immediately. Violations of this policy may result in immediate termination of your employment. Please provide a copy of your driver's license to the Executive Assistant to the CEO annually.

Certification, Licensing and Other Requirements – You will be informed by your supervisor if there are any licensing, certification, or testing requirements for your job. Failure to qualify or to maintain a certification or license may be sufficient cause for termination of employment.

6.103 Payday

Effective Date: 09/2018

You will be paid semimonthly on the fifth and the twentieth of the month for the periods that have ended on the last day of the previous month and the fifteenth of the month, respectively.

PCE provides for direct deposit of your paycheck. If you desire to have your paycheck deposited directly into an account of your choosing, please complete the necessary paperwork (contained in your on-boarding packet) and return it to the Chief Financial Officer. Depending on your date of hire and when you return the necessary paperwork, direct deposit may not take effect for your first paycheck.

When a payday falls on a holiday, you will be paid (or your bank account will be credited) on the first working day after the holiday. If the payday is a Saturday or Sunday, you will be paid (or your bank account will be credited) on the preceding Friday.

Please review your paycheck/paystub for errors at each pay period. If you find a mistake, please report it to the Chief Financial Officer immediately. Corrections, as necessary, will be processed through the next pay period's pay check.

6.104 Pay Advances

Effective Date: 09/2018

PCE does not provide for pay advances on unearned wages to employees.

6.105 Timekeeping

Effective Date: 09/2018

As noted under 6.101, each employee at PCE will be designated either non-exempt or exempt according to certain aspects of federal and state wage and hour laws. As a public agency, some California wage and hour provisions may not apply to PCE.

Non-exempt employees must record hours worked in addition to time off on your electronic timecard (i.e. Paychex or other as specified by management). The timecard

must be submitted to your supervisor on the last day of each reporting period as noted under 6.103. Accurately recording all your time is required in order to ensure that you are paid for all hours worked. You are expected to follow the established procedures in keeping an accurate record of your hours worked. PCE follows the overtime requirements set forth by Fair Labor Standards Act ("FLSA") which are further described in 6.106. Further, non-exempt employees who have necessity to drive from home at the beginning of a work day to a location other than PCE offices may count as work any such time that is more than your regular commute to PCE. Overtime work must always be approved before it is performed, except in the case of an emergency. Non-exempt employees must record all overtime worked on their electronic timecard.

Exempt employees should also accurately record time worked as well as leave time taken through the electronic timecard (i.e. Paychex or other as specified by management).

Altering, falsifying, tampering with time records, or recording time on another employee's time recorded is prohibited. This policy prohibits both over reporting and under reporting of hours worked for non-exempt employees. No supervisor may authorize any non-exempt employee to work "off the books" or "off the clock".

Non-exempt employees should not report to work prior to your scheduled starting time or stay after your scheduled stop time without express, prior authorization from your supervisor. Federal law does not permit an employer to allow non-exempt employees to volunteer time to their employer in the same capacity as their regular work.

Exempt employees, while receiving a set salary which is intended to compensate the individual for any hours worked, are still required to accurately record your time worked in accordance with applicable wage and hour laws. All employees subject to this policy are required to accurately record all time worked and leave taken.

PCE workweek starts on Monday and ends on Sunday.

6.106 Overtime (Non-Exempt Only)

Effective Date: 09/2018

There will be times when non-exempt employees will need to work overtime so that we may meet the needs of our customers. Every attempt will be made to provide you ample notice, however, this may not be always possible. If you are a non-exempt employee, you must have all overtime approved in advance by your supervisor.

Generally, unless an alternate workweek is in effect or state law dictates otherwise, non-exempt workers will be paid at a rate of time and one-half their regular rate of pay

for: (1) hours worked in excess of eight hours in a day; (2) hours worked in excess of forty (40) hours in a week not compensated as daily overtime; and (3) for the first eight (8) hours of work on a seventh day of work in a single workweek; and at a rate of double their regular rate of pay for: (a) hours worked in excess of twelve (12) hours in a day; and (b) hours worked in excess of eight (8) hours on a seventh day of work in a single workweek. In accordance with applicable laws, rest and recovery periods may count as hours worked.

We will allow employees to make up time for work missed because of their personal obligations. If you wish to do so, you must provide your supervisor with a written and signed request for each occasion that you desire to make up time. However, an employee who makes up missed time in the same workweek will not be paid overtime for the additional hours of work on a given day unless they exceed 11 hours on that day or total more than 40 hours in that week. Only actual hours worked count toward computing weekly overtime. If you have any questions concerning overtime pay please check with the Chief Financial Officer.

6.107 Meal, Rest, and Recovery Time (Non-Exempt Only)

Effective Date: 09/2018

Except for certain exempt employees, all employees who work five or more hours in a day are required to take an uninterrupted 30-minute unpaid duty-free meal period to commence no later than the end of the fifth hour of work and a second uninterrupted 30-minute meal period free from all duty to commence no later than the end of the tenth hour, should an employee work that many hours in any given day. Only in limited circumstances, discussed below, can meal periods be waived. For this reason, unless there is a written agreement for an on-duty meal period approved by PCE, employees must record the beginning and ending time of their meal period in the timekeeping system every day. It is also our policy to relieve such employees of all duties during their meal periods, with the employee being at liberty to use the meal period time as the employee wishes.

An employee shall not be required to work during a meal period, in accordance with applicable law. If PCE fails to provide an employee with a required meal period, the employee will be paid one additional hour of pay at the employee's regular rate of compensation.

PCE schedules all work assignments with the expectation that all employees will take their duty-free meal periods and we encourage you to do so. Employees may be asked to confirm in writing that they have been relieved of all duty and otherwise provided all their daily meal periods during the pertinent pay period, or in the alternative, identify any meal periods they missed. At no time may any employee perform off-the-clock work or

otherwise alter, falsify, or manipulate any aspect of their timekeeping records to inaccurately reflect or hide meal periods or time spent working during meal periods.

No PCE manager or supervisor is authorized to instruct an employee how to spend his or her personal time during a meal period. You should immediately report a manager's or supervisor's instruction to skip or work during a meal period to the Chief Financial Officer or CEO.

Waiver of Meal Period: You may waive your meal periods only under the following circumstances:

- If you complete your workday in six hours, you may waive your meal period.
- If you work more than ten (10) hours in a day you may waive your second meal period, but only if you have taken your first meal period and you do not work more than twelve (12) hours that day.

Please speak to your immediate supervisor for clarification on whether you are entitled to waive your second meal period. Any time you elect to waive a meal period you must submit a written request and receive prior written authorization from your immediate supervisor.

You may not waive meal periods to shorten your workday or to accumulate meal periods for any other purpose.

On Duty Meal Period: In limited situations, certain designated employees may be required to work an on-duty meal period due to the nature of the employee's duties. Only if the nature of your job duties requires it, and you and PCE have agreed to an on-duty meal period in writing, will you be permitted to take an on-duty meal period. In this situation, your on-duty meal period will be paid and treated as hours worked.

Non-exempt employees will also receive one uninterrupted, duty free 10-minute paid break for every four hours worked (or major fraction thereof). Rest and recovery periods will occur as close to the middle of a four-hour work period as is practical. This time must be approved by your supervisor each day.

Rest and recovery periods are counted as hours worked, and thus, you are not required to record your rest periods on your timesheets or time cards. However, no supervisor is authorized or allowed to instruct or allow an employee to waive a rest or recovery period, and they cannot be used to shorten the workday or be accumulated for any other purpose. Employees may be required to confirm that they have been provided an opportunity to take all their rest or recovery periods during the pertinent pay period.

6.108 [Not used]

Effective Date: 09/2018

6.109 [Not used]

Effective Date: 09/2018

6.110 Paycheck Deductions and Set-Offs

Effective Date: 09/2018

PCE is required by law to make certain mandatory deductions from your paycheck each pay period. Mandatory deductions typically include federal and state income taxes, Social Security (FICA) and Medicare taxes, and State of California Disability taxes. In addition, depending on your benefits election, there may be additional deductions. All deductions and the amount of the deductions are listed on your pay stub. These deductions are totaled each calendar year for you on your Form W-2, Wage and Tax Statement.

PCE will not make deductions to an employee's pay which are prohibited by state or federal law or regulation, including those established by the United States Department of Labor. You will be reimbursed in full for any isolated, inadvertent, or improper deductions, as defined by law.

If questions or concerns about any pay deductions arise, discuss and resolve them with the Chief Financial Officer.

6.111 Work Schedules

Effective Date: 09/2018

Generally, employees are expected to arrive and start work between 8:00 am and 9:00 am each day, and work at least eight (8) hours per day, not including breaks or lunchtime. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week. PCE reserves the right to assign and change individual work schedules, as needed.

6.112 Garnishment/Child Support

Effective Date: 09/2018

When an employee's wages are garnished by a court order, PCE is legally bound to withhold the amount indicated in the garnishment order from the employee's paycheck.

PCE will, however, honor applicable federal and state guidelines that protect a certain amount of an employee's income from being subject to garnishment.

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SECTION 7: LEAVE OF ABSENCE

7.101 Vacation

Effective Date: 09/2018

All employees are eligible to accrue vacation. At PCE we believe that taking time away from work is essential to maintain both good physical and mental health. To this end, PCE encourages all employees to take full advantage of their earned vacation. Payment in lieu of time-off is not permitted by PCE.

The following provides PCE's vacation policy for both full-time and part-time employees.

All full-time employees are eligible for vacation. Vacation will accrue for full-time employees as follows:

- Hire date to completion of third year of employment: 10 days (80 hours/year)
- Beginning of fourth year to completion of eighth year: 15 days (120 hours/year)
- Beginning of ninth year and above: 20 days (160 hours/year)

Part-time regular employees will accrue vacation according to their FTE percentage.

Vacation benefits do not accrue when an employee is on unpaid leave or during other periods of unpaid absence, except as defined by law.

Vacation accrual may not exceed 1.5 times an employee's current annual entitlement. Once this maximum is reached, all further accruals will cease. For ease of reference, the maximum accruals are:

- Hire date to completion of third year of employment: 15 days (120 hours)
- Beginning of fourth year to completion of eighth year: 22.5 days (180 hours)
- Beginning of ninth year and above: 30 days (240 hours)

Given the small number of staff at PCE, it is generally appreciated if employees can provide their annual vacation plans with as much notice as possible, however, at a minimum, vacation requests must be submitted in writing at least two (2) weeks in advance to your immediate supervisor. Said supervisor is required to sign off on the request and then provide it to the Chief Financial Officer so that payroll is properly computed. Length of employment may determine priority in scheduled vacation times.

At the end of employment, eligible employees will be paid for accrued but unused vacation, up to the maximum accrual amount.

Vacation time off is paid at the employee's base pay rate at the time of vacation for the number of hours absent. It does not include overtime or any special forms of compensation such as incentive, commission, bonuses, or shift differentials.

Management Leave - As noted in 6.101, directors and managers may at times be required to attend PCE-business related meetings on weekends or additional week night meetings beyond regularly scheduled PCE Citizens Advisory Committee and PCE Board Meetings. Directors can take up to 80 hours of management leave per year and managers can take up to 40 hours of management leave per year to compensate them for additional time necessary to accomplish certain key tasks associated with PCE's business. The use of such leave shall be documented in the employee's weekly timecard.

"Weekend work" to achieve a deadline will not be afforded similar treatment. Further, the regularly scheduled PCE Citizens Advisory Committee and PCE Board Meetings are part of the regular expected work for managers and directors and are not covered by management leave. Management leave is not carried over; any management leave not taken in a calendar year will not be carried over to subsequent years.

Other exempt employees (i.e., non-managers or directors) are entitled to one (1) hour of Compensatory (Comp) Time for each hour worked outside of the forty (40) hour work week on special projects and off-site weekend events. Comp time is limited to six (6) hours in any one pay period. All comp time shall be used by the close of the following pay period and tracked in the employee's time card. Employees should work with their immediate supervisor to accommodate the use of Comp Time.

7.102 Paid Sick Leave

Effective Date: 09/2018

All full-time employees are entitled to paid sick leave of ten (10) days per year (i.e., 80 hours), accruing at the rate of 3.33 hours per pay period. Maximum accrual for sick leave is fifteen (15) days (i.e., 120 hours). Upon reaching 120 hours accrued, further sick leave will not accrue until the accrual falls below the maximum threshold. Part-time employees will accrue sick leave based on their FTE percentage.

Sick days taken prior to an employee's ninetieth day of employment will not be paid. Eligible employees are entitled to use accrued paid sick days beginning on or after the ninetieth day of employment. The rate of pay shall be the employee's regular rate of pay at the time sick leave is taken. The actual dollar amount that you receive may vary according to your compensation plan.

Accrued paid sick leave may be used for:

1. Diagnosis, care, or treatment of an existing health condition of, or preventive care for, an employee or an employee's family member;
2. Under the California Kin Care law, employees are entitled to use half of their annual leave accrual (five (5) days) for their own illness and/or to care for a sick immediate family member and/or when an employee is a victim of domestic violence, sexual assault, or stalking. PCE defines "immediate family" as the employee's spouse or registered domestic partner; the employee's or the employee's spouse or registered domestic partner's parent, sibling, child, child's spouse, grandparents, or grandchildren. Special consideration will also be given to any other person whose association with the employee was similar to any of the above relationships.
3. Up to five (5) days of sick leave may be used as bereavement leave to take time off due to the death of an immediate family member. This is in addition to the time off described in Section 7.103. On a case by case basis, additional time without pay may be granted for bereavement leave at the discretion of the CEO.

If the need to use paid sick leave is foreseeable, you must provide PCE with reasonable advance notification. If the need to use paid sick leave is not foreseeable, please provide notice to your immediate supervisor of your intent to use paid sick leave as soon as practicable, preferably no later than one hour after your scheduled starting time. Employees who must leave work due to illness or sick leave condition should likewise advise their supervisor. It is the responsibility of every employee to keep his or her supervisor advised as to the anticipated duration and expected date of return.

Accrued, but unused sick leave will not be paid out at the end of your employment. If an employee is separated and rehired by the employer within one year from the date of separation, previously accrued and unused paid sick days shall be reinstated, and the employee shall be entitled to use those previously accrued and unused paid sick days and to accrue additional paid sick days upon rehiring.

This leave may run concurrently with any other leave where permitted by state and federal law.

Employees will not be discriminated or retaliated against for taking or requesting leave in accordance with this policy.

Sick leave for Temporary Employees – Sick leave for temporary employees is provided in accordance with the California Healthy Workplace, Healthy Families Act of 2014 (Paid Sick Leave Law – AB 1522). According to the Act and per PCE guidelines for temporary employees, temporary employees hired on or after July 31, 2015 are eligible to accrue twenty-four (24) hours of paid sick leave per year. Pro rata accruals will be provided for contracts that are less than one year in duration. Leave accruals may carry over from year to year. There is no cash out for sick leave upon termination.

PCE defines a temporary employee as an employee that has been hired for a contracted specified period (typically for a specified project or assignment).

7.103 Bereavement Leave

Effective Date: 09/2018

Full-time employees are eligible immediately upon hire for three paid days for the death of an immediate family member. Members of the immediate family include spouse, registered domestic partner, parents, brothers, sisters, children, children of registered domestic partner, grandchildren, grandparents, parents-in-law, and parents of registered domestic partner.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws. Requests for bereavement leave should be made to your immediate supervisor as soon as possible who will communicate this information to the Chief Financial Officer to ensure payroll is processed correctly. PCE reserves the right to request written verification of an employee's familial relationship to the deceased and his or her attendance at the funeral service as a condition of the bereavement pay.

7.104 Disability Leave/FMLA Leave

Effective Date: 09/2018

PCE offers State Disability Leave and Family and Medical Leave, as the circumstances warrant.

To qualify for Short Term State Disability Leave, reference should be made to http://www.edd.ca.gov/Disability/About_DI.htm. Forms can be obtained on-line or by asking the Chief Financial Officer. PCE works with the HR department of the County of San Mateo who can provide detailed information about this benefit.

Employees who have worked at least twelve (12) months (these months do not have to be consecutive) and have completed at least 1,250 hours of service in the preceding 12 months, are eligible for Federal Family and Medical Leave ("FMLA") of up to 12 weeks unpaid leave during any twelve-month period. FMLA recognizes several valid reasons for your right to take unpaid leave under this provision. They include:

- A serious health condition that leaves the employee unable to perform his or her job
- The need to care for a member of the employee's immediate family who is suffering from a serious health condition.

- Birth of a child
- Adoption of a child
- Care of a newborn or newly adopted child.

Although FMLA leave is unpaid, PCE will work with qualifying employees to coordinate the FMLA leave with paid leave (i.e., vacation or sick days) to whatever advantage the employee wishes to obtain. During the covered leave time, you will still be eligible to be covered for health benefits.

Upon returning to work, PCE will reinstate the employee at the same or genuinely equivalent position. If the employee is required to re-instate some necessary requirement for the position, PCE will provide reasonable opportunity for this to be fulfilled.

The provisions of State Disability Leave and FMLA are complex. As your employer, PCE stands ready to provide the necessary assistance to guide you through the rules, should the need occur.

Supplemental PCE Paid Maternity and Paternity Leave (Supplemental Bonding Leave)

As a separate benefit to its employees, PCE offers 240 hours of leave to full-time employees for bonding with the employee's newborn child or the new placement of a child with the employee for the adoption or foster care of the child (Supplemental Bonding Leave). To be eligible, employees must have been employed with PCE full time for at least six months prior to the birth or new placement of the child. The six weeks of leave must be taken in increments of at least a quarter hour and the leave will run concurrently and not consecutive with any other leave the employee might be entitled to under state or federal law. The leave must be scheduled a reasonable time in advance in consultation with the employee's supervisor. The leave must be taken within a year of the child's birth or new placement or adoption or foster care. The first 120 hours of the leave will be fully paid by PCE at the employee's then existing rate. The remaining 120 hours of the leave will be unpaid. However, the employee may use any accrued existing sick leave or vacation pay and may also apply for PFL for any unpaid time. The employee will not accrue any leave during the period he or she is taking the Supplemental Bonding Leave. Same sex married or registered domestic partners will be treated in the same manner as any other employee.

7.105 Holidays

Effective Date: 09/2018

PCE normally observes the following holidays during the year:

- New Year's Day
- Martin Luther King Jr. Day
- Presidents' Day
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veterans' Day
- Thanksgiving Day
- Day After Thanksgiving Day
- Christmas Day

Plus, four (4) floating holidays throughout the year.

If a holiday falls on Saturday, it normally is observed on the preceding Friday. If a holiday falls on Sunday, it normally is observed on the following Monday. Full-time employees are eligible for paid holidays immediately upon hire. Exempt employees will receive holiday pay in compliance with state and federal wage and hour laws.

7.106 Voting Leave

Effective Date: 09/2018

PCE believes that every employee should have the opportunity to vote in state or federal elections, general primary, or special primary. Any employee who does not have sufficient time outside of working hours to vote in a statewide election may request up to two paid hours off to vote. We reserve the right to select the hours you are excused to vote.

Notify your immediate supervisor of the need for voting leave as soon as possible. When you return from voting leave, you must present a voter's receipt to your supervisor. This will provide documentation for your timesheet entry.

7.107 Jury Duty

Effective Date: 09/2018

PCE encourages employees to fulfill their civic responsibilities by serving jury duty when required. Employees may request paid jury duty leave, up to five (5) days. Exempt employees will receive their full weekly salary for any workweek interrupted by jury service if they work at least a portion of the workweek. If an exempt employee does not work at all during the workweek due to jury service, he or she will not be paid for that

workweek. Alternatively, in this latter case, the employee could charge the week to vacation.

Employees must show the jury duty summons to their immediate supervisor as soon as possible so that the supervisor may make the appropriate arrangements to accommodate their absence. Employees are generally expected to report for work whenever the court schedule permits. For those employees who are not residents of the County of San Mateo, this may not be feasible.

Either PCE or the employee may request an excuse or deferment from jury duty if, in PCE's judgement, the employee's absence during the originally summoned time frame would create serious operational difficulties. It is noted that most court systems have very stringent requirements for a complete dismissal from service. As a result, PCE is committed to ensure that if called, you will be able to serve at a time that can be accommodated.

If you are obliged to serve on a long-term trial (i.e., greater than five (5) days), PCE will provide you with all the regular health, dental, vision, etc. benefits for the full term of the jury duty absence. Benefit accruals such as vacation, sick leave, or holiday benefits will be suspended during the unpaid jury duty leave and will resume upon return to active employment.

7.108 Military Leave and Civil Air Patrol

Effective Date: 09/2018

Employees who are required to fulfill military obligations in any branch of the Armed Forces of the United States or in state military service will be given the necessary time off and reinstated in accordance with federal and state law.

The time off will be unpaid, except where state law dictates otherwise. Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

Accrued vacation (if any) may be used for this leave if the employee chooses, but PCE will not require the employee to use vacation. Military orders should be presented to your immediate supervisor upon receipt so that arrangements for leave can be made as early as possible before departure. Employees are required to give notice of their service obligations to PCE unless military necessity makes this impossible. You must notify the Chief Financial Officer and your supervisor of your intent to return to employment based on requirements of the law. Your benefits may continue to accrue during the period of leave in accordance with state and federal law.

An employee who is a voluntary member of the California Wing of the Civil Air Patrol will be permitted no less than ten (10) days of unpaid leave per calendar year to respond to an emergency operational mission as defined by state law.

To qualify for leave under this policy, a volunteer member must be employed by PCE for at least ninety (90) days immediately preceding the commencement of leave. The employee must give PCE as much notice as is possible of the intended leave dates. Leave for a single emergency operational mission shall not exceed three (3) days, unless an extension of time is granted by the governmental entity that authorized the emergency operational mission, and the extension of the leave is approved by PCE.

PCE may require certification from the proper Civil Air Patrol authority to verify the employee's eligibility for leave. PCE reserves the right to deny the leave request if the employee fails to provide the required certification.

Upon expiration of the leave, PCE will restore the employee to his or her position or to a position with equivalent seniority, benefits, pay and other terms and conditions of employment, unless the employee is not restored because of conditions unrelated to use of leave under this policy.

This policy does not apply to employees who serve as first responders or disaster service workers for a local, state, or federal agency to the same or a simultaneous emergency operational mission.

Employees may substitute accrued vacation for unpaid leave but are not required to exhaust accrued leave prior to taking leave under this policy.

Additional information regarding any of the aforementioned military leaves may be obtained from the Chief Financial Officer.

7.109 Pregnancy Accommodation

Effective Date: 09/2018

PCE will provide reasonable accommodations to female employees related to pregnancy, childbirth, or related medical conditions, to the extent the accommodation can be made without imposing an undue hardship on the business.

When an employee requests a reasonable accommodation, PCE will explore with the employee the possible means of providing the reasonable accommodation, which may include, but are not limited to:

- allowing more frequent breaks or periodic rest;

- assisting with manual labor;
- modifying job duties;
- modifying work hours/schedules;
- temporary transfer to a less strenuous or less hazardous position; or
- providing a leave of absence.

PCE may require the employee to provide a certification relating to a request for reasonable accommodation that includes the following:

- the date the reasonable accommodation became medically advisable;
- the probable duration of the reasonable accommodation; and
- an explanatory statement as to the medical advisability of the reasonable accommodation.

If leave is provided as a reasonable accommodation, such leave may run concurrently with any other leave where permitted by state and federal law. (Refer to 7.110)

For more information, or if you require an accommodation, please contact your immediate supervisor.

7.110 Pregnancy Disability Leave

Effective Date: 09/2018

Female employees are eligible for an unpaid leave of absence up to four (4) months (i.e., the working days you would normally work in one-third of a year or 17 1/3 weeks, unless your hours vary from month to month in which case PCE will use a monthly four-month average of the hours worked prior to commencing leave) for disabilities relating to pregnancy, childbirth, or related medical conditions per pregnancy.

Leave may include, but is not limited to, additional or more frequent breaks, time for prenatal or postnatal medical appointments, doctor-ordered bed rest, severe morning sickness, gestational diabetes, pregnancy-induced hypertension, preeclampsia, recovery from childbirth or loss or end of pregnancy, and/or post-partum depression. Leave may be taken consecutively or intermittently. The amount of leave needed is determined by your health care provider's recommendation.

At your option, you can use any accrued vacation time or other accrued paid time off as part of your pregnancy disability leave before taking the remainder of your leave on an unpaid basis. The substitution of any paid leave will not extend the duration of your pregnancy disability leave. It is also noted that you can integrate your FMLA leave benefits. PCE will assist you with designing your leave to your best possible financial advantage.

Employees who are granted leaves for pregnancy will be returned to their same position to the extent required by state law. Upon the advice of your health care provider, you may also be entitled to reasonable accommodation, to the extent required by law, for conditions related to pregnancy, childbirth or related medical conditions. You should promptly notify PCE of the need for a reasonable accommodation (refer to 7.109). In addition, a transfer to a less strenuous or hazardous position or to less strenuous or hazardous duties may be available pursuant to your request, if such a transfer is medically advisable.

You must give PCE at least thirty (30) days' notice if your need for pregnancy-related disability leave, reasonable accommodation, or transfer is foreseeable. Otherwise please give PCE notice as soon as is practicable if the need is an emergency or unforeseeable.

Prior to the start of the leave, PCE will require a written medical certification indicating that you are disabled because of pregnancy or that it is medically advisable for you to be transferred to a less strenuous or hazardous position or duties or otherwise to be reasonably accommodated. The certification should include an anticipated date when you will be able to return to your job or job duties. In the event your leave exceeds the anticipated date of return, it is your responsibility to provide further certification from your health care provider that you are unable to perform your job or job duties and the revised anticipated date of return. Depending on your eligibility, medical insurance may be continued during your leave in accordance with the applicable plan document, COBRA, or provisions of federal/state law relating to unpaid medical leave. Employees who choose not to return from leave may be required to refund premium payments made by PCE on their behalf, when permitted by state law.

7.111 Family Leave Insurance

Effective Date: 09/2018

The State of California may provide partial wage benefits to eligible employees for up to a maximum of six weeks for the following reasons:

- To bond with a new child after birth or placement for adoption or foster care;
- To care for a serious health condition of an employee's child, parent, spouse, registered domestic partner, grandparent, grandchild, sibling or parent-in-law.

The Paid Family Leave Act provides benefits based on past quarter earnings for up to six weeks in a 12-month period. The cost of the insurance is fully paid by PCE. The 12-month period begins on the first day an employee submits a claim.

To be eligible for benefits, employees may be required to provide medical and/or other information that supports a claim for time off to bond with a new child or to care for a child, parent, spouse or registered domestic partner with a serious health condition. In addition, there is a seven-calendar-day waiting period before benefits begin.

You are responsible for filing your claim for family leave insurance benefits and other forms promptly and accurately with the Employment Development Department. A claim form may be obtained from the Employment Development Department by telephone, letter, the Internet or in person. All eligibility and benefit determinations are made by the Employment Development Department.

You may not be eligible for Paid Family Leave benefits if you are receiving State Disability Insurance, Unemployment Compensation Insurance or Workers' Compensation benefits.

The Paid Family Leave Act does not provide a right to leave, job protection or return to work rights. Further, this policy does not provide additional time off; rather, family leave insurance may provide compensation during an approved leave pursuant to any company provided leave.

As noted, PCE will assist you with maneuvering through the various aspects of federal and state allowed leaves, in the event the need arises during your employment.

7.112 [Not Used]

Effective Date: 09/2018

7.113 [Not Used]

Effective Date: 09/2018

7.114 Bone Marrow and Organ Donation Leave

Effective Date: 09/2018

Employees are eligible to receive up to thirty (30) business days of paid leave to serve as an organ donor and up to five business days of paid leave to serve as a bone marrow donor in a one-year period. The one-year period is measured from the date the employee's leave begins and shall consist of twelve (12) consecutive months. Employees must be employed by PCE for at least 90 days immediately preceding the commencement of leave. Such leave must be requested in writing.

When available, the employee must utilize up to five business days of accrued but unused sick or vacation leave for initial bone marrow donation leave and up to two

weeks of accrued but unused sick or vacation leave for initial organ donation leave. Please provide the Chief Financial Officer with written physician verification of the purpose and length of each leave. For more information regarding this leave, please see the Executive Assistant to the CEO.

7.115 Rehabilitation Leave

Effective Date: 09/2018

PCE is committed to providing assistance to our employees to overcome substance abuse problems. PCE will reasonably accommodate any employee who wishes to voluntarily enter and participate in an alcohol or drug rehabilitation program. This accommodation may include an adjusted work schedule or time off without pay, provided the accommodation does not impose an undue hardship on PCE. Employees may use any accrued sick or vacation benefits while on leave under this policy. However, additional benefits will not be earned during the unpaid portion of the leave of absence. A leave of absence under this section will be subject to the same provisions and rules as apply to medical leaves of absence. PCE will safeguard the privacy of an employee's participation in a rehabilitation program.

Employees should notify the CEO if they need to request an accommodation under this policy.

7.116 Domestic Violence Leave

Effective Date: 09/2018

PCE will not discriminate or retaliate against employees based on their status as a victim of domestic violence, sexual assault, or stalking or for taking time off from work to obtain or attempt to obtain any relief, including but not limited to, a temporary restraining order, restraining order, or other injunctive relief to help ensure the health, safety, or welfare of a victim or his or her child. To the extent required by law, PCE will provide reasonable accommodation to victims of domestic violence, sexual assault, or stalking who request the accommodation for the safety of the victim while at work.

7.117 Victims of Felony Crimes Leave

Effective Date: 09/2018

PCE will grant reasonable and necessary leave from work without pay, to employees who are victims, or whose spouse, child, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father, stepfather, registered domestic partner, or child of a registered domestic partner is a victim of a violent or serious felony or felonious

theft or embezzlement, for the purposes of attending legal proceedings related to the crime.

Affected employees may elect to use accrued paid vacation, personal leave and/or sick leave in lieu of unpaid leave. When feasible, affected employees must provide PCE with notice of the employee's need for leave, including a copy of the notice of the scheduled proceeding. If notice is not feasible, affected employees must provide documentation evidencing the legal proceeding requiring the employee's absence within a reasonable time after leave is taken. Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

7.118 Time Off for School-Related Activities

Effective Date: 09/2018

Parents, step-parents, guardians, or grandparents with school children from kindergarten through grade 12, or who attend licensed child daycare facilities, are provided unpaid time off (up to a maximum of four (4) hours in one (1) calendar month and 20 hours in one (1) calendar year) or vacation or personal leave to participate in school or day care activities. PCE may require proof of an employee's participation in these activities. The employee must provide reasonable advance notice to their supervisor before taking any time off under this section.

If you are the parent or guardian of a child who is suspended and are required to appear at the child's school, you may take time off without pay if you provide reasonable notice to your supervisor of the need for time off.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

Receipt of Employee Handbook and Employment-At-Will Statement

This is to acknowledge that I have received a copy of the Peninsula Clean Energy Employee Handbook and I understand that it contains information about the employment policies and practices of PCE. I agree to read and comply with this Employee Handbook. I understand that the policies outlined in this Employee Handbook are management guidelines only, which in a developing business will require changes from time to time. I understand that PCE retains the right to make decisions involving employment as needed to conduct its work in a manner that is beneficial to the employees and PCE. I understand that this Employee Handbook supersedes and replaces any and all prior Employee Handbooks and any inconsistent verbal or written policy statements.

I understand that except for the policy of at-will employment, PCE reserves the right to revise, delete, and add to the provisions of this Employee Handbook at any time without further notice. All such revisions, deletions or additions to the Employee Handbook will be in writing and will be signed by the CEO of PCE. I understand that no oral statements or representations can change the provisions of this Employee Handbook.

I understand that this Employee Handbook is not intended to create contractual obligations with respect to any matters it covers and that the Employee Handbook does not create a contract guaranteeing that I will be employed for any specific time period.

THIS COMPANY IS AN AT-WILL EMPLOYER. THIS MEANS THAT REGARDLESS OF ANY PROVISION IN THIS EMPLOYEE HANDBOOK, PCE OR I MAY TERMINATE THE EMPLOYMENT RELATIONSHIP AT ANY TIME, FOR ANY REASON, WITH OR WITHOUT CAUSE OR NOTICE. NOTHING IN THIS EMPLOYEE HANDBOOK OR IN ANY DOCUMENT OR STATEMENT, WRITTEN OR ORAL, SHALL LIMIT THE RIGHT TO TERMINATE EMPLOYMENT AT-WILL. NO OFFICER, EMPLOYEE OR REPRESENTATIVE OF PCE IS AUTHORIZED TO ENTER INTO AN AGREEMENT—EXPRESS OR IMPLIED—WITH ME OR ANY EMPLOYEE FOR EMPLOYMENT FOR A SPECIFIED PERIOD OF TIME. ANY AGREEMENT TO EMPLOYMENT FOR A SPECIFIED PERIOD OF TIME WILL BE PUT INTO WRITING AND SIGNED BY THE CEO OF PCE.

I understand that this Employee Handbook refers to current benefit plans maintained by PCE and that I must refer to the actual plan documents and summary plan descriptions as these documents are controlling.

I have read and understand the Vacation Policy in this Employee Handbook.

Initials _____ Date _____

I also understand that if a written contract is inconsistent with the Employee Handbook, the written contract is controlling.

If I have questions regarding the content or interpretation of this Employee Handbook, I will ask my supervisor or a member of management.

NAME _____

DATE _____

EMPLOYEE
SIGNATURE _____

General. No full-time PCE employee may engage in outside employment unless prior written approval is granted from both his or her department head and the Chief Executive Officer. Pursuant to PCE Employee Handbook section 2.107, outside employment must not be inconsistent, incompatible, in conflict with, or harmful or unfavorable to his or her duties as a PCE employee or reduce the efficiency of the employee in PCE employment.

Name of Employee: _____

PCE Department: _____ PCE Job Title: _____

Outside Position: _____

Outside Employer: _____

Address: _____

Supervisor(s): _____

Specific duties to be performed: _____

Duration of job: _____ Hours per week: _____

Hours to be worked each day of the week:

Monday____ Tuesday____ Wednesday____ Thursday____ Friday____ Saturday____ Sunday____

The above named outside employer is fully aware of my regular PCE occupation and indicates no reservation as to conflict of interest. The above statements are true and accurate, and it is understood that permission to engage in employment outside my regular PCE position is revocable at any time by the Chief Executive Officer of PCE. I have read and fully understand the policy of PCE concerning outside employment.

Signature of employee requesting
To engage in outside employment _____ Date _____

Department head approval: _____ Date _____

☐ Approved

☐ Denied (memo attached)

Chief Executive Officer approval: _____ Date _____

☐ Approved

☐ Denied (memo attached)

**Conflict of Interest Code of
PENINSULA CLEAN ENERGY
A Joint Powers Authority**

**County of San Mateo
State of California**

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations Section 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix, designating positions and establishing disclosure categories, shall constitute the conflict of interest code of Peninsula Clean Energy.

As directed by Government Code Section 82011, the code reviewing body is the Board of Supervisors for the County of San Mateo. Pursuant to 2 Cal. Code of Regs. Section 18227 and Government Code Section 87500, the County Clerk for the County of San Mateo shall be the official responsible for reviewing and retaining statements of economic interests and making the statements available for public inspection and reproduction.

Individuals holding designated positions shall file their statements of economic interests with Peninsula Clean Energy, which will make the statements available for public inspection and reproduction (Gov. Code Sec. 81008). Upon receipt of the statements, Peninsula Clean Energy shall make and retain copies and forward the originals to the County Clerk.

**Peninsula Clean Energy
Conflict of Interest Code**

List of Designated Positions for Peninsula Clean Energy and Financial Disclosure Categories

Each person holding any position listed below must file statements disclosing the kinds of financial interest shown for the designated employee's position. Statements must be filed at the times and on the forms prescribed by law. Failure to file statements on time may result in penalties including but not limited to late fines.

Designated Employees	Disclosure Category
Members, Board of Directors	1,2,3,4
Chief Executive Officer	1,2,3,4
General Counsel	1,2,3,4
Associate General Counsel	1,2,3,4
Chief Financial Officer	1,2,3,4
Director of Legislative and Regulatory Affairs	1,2,3,4
Director of Energy Programs	1,2,3,4
Director of Customer Care	1,2,3,4
Director of Power Resources	1,2,3,4
Director of Finance and Administration	1,2,3,4
Manager of Communications and Outreach	1,2,3,4
Power Resources Manager	1,2,3,4
Office Manager	1,2,3,4
Renewable Energy Analyst	1,2,3,4
Consultants*	1,2,3,4

*The Chief Executive Officer, after consultation with the County Counsel, shall review the duties and authority of all consultants retained by Peninsula Clean Energy. Those consultants who, within the meaning of 2 Cal. Code of Regs. Section 18700, et seq. are required to file statements of economic interests, shall do so. During each calendar year, Peninsula Clean Energy shall maintain a list of such consultants for public inspection in the same manner and location as this Conflict of Interest Code. Nothing herein excuses any consultant from any other provision of the Conflict of Interest Code, specifically those dealing with disqualification.

Peninsula Clean Energy
Description of Disclosure Categories

Category 1

A designated person assigned to Category 1 is required to disclose investments which may foreseeably be materially affected by any decision made or participated in by the designated employee.

Category 2

A designated person assigned to Category 2 is required to disclose interests in real property which may be materially affected by a decision made or participated in by the designated employee.

Category 3

A designated person assigned to Category 3 is required to disclose income which may be materially affected by any decision made or participated in by the designated employee.

Category 4

A designated person assigned to Category 4 is required to disclose any business entity in which the designated employee is a director, officer, partner, trustee, or holds any position of management which may be materially affected by any decision made or participated in by the designated employee.

Peninsula Clean Energy Authority

Guidelines on Political Activity

Peninsula Clean Energy Authority (“PCE”) is a California Joint Powers Authority and as a result is a public agency. To this end, all employees of PCE are considered public employees and are subject to the provisions of California Government Code Sections 3201-3209 Chapter 9.5 – Political Activities of Public Employees. This policy provides further guidance of allowed political activity by PCE employees as defined in the Employee Handbook 3.101. By signing the signature page of the Employee Handbook, by reference you are to adhere to these guidelines.

1. As a PCE employee you are not to engage in political fundraising during working hours, however, you may do so on your own time away from PCE’s place of business.
2. Notwithstanding the above, as a PCE employee you may not use PCE resources or equipment, including PCE email system, for political fundraising, even if performed away from PCE’s place of business.
3. In accordance with Government Code Section 19990 which provides that “a state officer or employee shall not engage in any employment, activity, or enterprise which is clearly inconsistent, incompatible, in conflict with, or inimical to his or her duties as a state officer or employee”, as a PCE employee you may not work on political campaigns during work hours on PCE premises. Further, you may not use PCE resources or equipment for that purpose even if not located at PCE premises.
4. You are allowed to wear campaign buttons or clothing that bear a political message provided that when wearing the article on your person, you will not have direct contact with the public or our customers.
5. You may display political messages, such as bumper stickers, on your personal vehicle.
6. You may only attend political rallies on your own time.
7. You may contribute to political campaigns as long as the solicitation from the candidate is part of a broad solicitation made to a significant segment of the public which may include officers and/or employees of PCE.

The above are strictly guidelines and not a comprehensive list of possible prohibited/allowed political activity. If you should have any questions, please contact your direct supervisor.

Peninsula Clean Energy

Employee Confidentiality Agreement

I agree to protect the confidentiality, privacy and security of customer, vendor, staff, business and other confidential, sensitive electronic or proprietary information (collectively, “Confidential Information”) of Peninsula Clean Energy Authority (“PCE”) from any source and in any form (spoken, paper, electronic). I understand that I have an obligation to protect the Confidential Information that I may create, access, use or disclose as part of my job including the following, among others:

- CUSTOMER INFORMATION (such as conversations and billing information)
- BUSINESS INFORMATION (such as financial records, reports, contracts, computer programs, technology)
- THIRD PARTIES (such as vendor contracts, computer programs, technology)

I AGREE THAT:

1. I WILL protect PCE Confidential Information in any form. I WILL follow federal and state statutes and regulations, and PCE Policies, procedures, and other privacy and security requirements (“PCE Policies”).
2. I WILL NOT post, discuss, or otherwise share any Confidential Information on any social media sites such as Facebook or Twitter. I WILL NOT post Confidential Information on PCE-sponsored social media sites without the appropriate authorization in accordance with management approval and PCE Policies and procedures.
3. I WILL complete all required privacy and security training.
4. I WILL ONLY access information that I need to perform my job responsibilities or services at PCE.
5. I WILL NOT access, show, tell, use, release, e-mail, copy, give, sell, review, change or dispose of Confidential Information unless it is part of my job responsibility or to provide service at PCE. I WILL follow PCE Policies (such as shredding confidential or deleting electronic files from devices) and only access/use the minimum necessary of the information to complete the required task.
6. When my work or service at PCE ends, I WILL NOT disclose any Confidential Information, and I WILL NOT take any Confidential Information with me if I leave or am terminated.
7. If I must take Confidential Information off PCE property, I WILL do so only with my supervisor’s permission and/or in accordance with PCE policies and procedures. I WILL protect the privacy and security of the Confidential Information in accordance with PCE Policies and I WILL return it to PCE.
8. If I have access to PCE computer system(s), I WILL return such on my last day of employment.
9. I WILL NOT use another’s User ID or password to access any PCE system, and I WILL NOT share my User ID password or other computer password with anyone.
10. I WILL create a strong password and change it in accordance with PCE Policies. I WILL notify AllCovered and change my password at once if I think someone knows or used my password. I WILL ask my supervisor if I do not know how to change my password.

11. I WILL tell my supervisor and AllCovered if I think someone knows or may use my password or if I am aware of any possible breaches of my user name or password. I WILL report suspected breaches of confidentiality to my supervisor and AllCovered.
12. I WILL log out or secure my workstation when I leave the computer unattended.
13. I WILL ONLY access Confidential Information at remote locations in accordance with PCE Policies.
14. If I am allowed to remotely access Confidential Information, I AM RESPONSIBLE for ensuring the privacy and security of the information at ANY location (e.g., home, office, etc.).
15. With the exception of accessing PCE email on a personal smartphone (e.g., iPhone or Android device) or tablet (e.g., iPad), I WILL NOT store Confidential Information on non-PCE systems including on personal computers/devices. I WILL immediately report any lost or stolen device, personal or otherwise, that was used to access PCE resources.
16. I WILL NOT maintain or send Confidential Information to any unencrypted mobile or portable storage device in accordance with PCE Policies.
17. I UNDERSTAND that my access to Confidential Information and my PCE e-mail account may be audited.
18. If I receive personal information through PCE e-mail or other PCE systems, I AGREE that authorized PCE personnel may examine it, and I do not expect it to be protected by PCE.
19. I UNDERSTAND that PCE may remove or limit my access to PCE's computer system(s) at any time.

I understand that my failure to comply with this Agreement may result in the termination of my relationship with PCE and/or civil or criminal legal penalties. By signing this, I agree that I have read, understand and WILL comply with this Agreement.

Signature _____ Date _____

Print Full Name _____ Dept _____



Policy Number: 2

Adoption Date:

July 14, 2016

Subject: Customer confidentiality

Policy: Peninsula Clean Energy Authority (PCEA), its employees, agents, contractors, and affiliates will maintain the confidentiality of individual customers' names, service addresses, billing addresses, telephone numbers, account numbers, and electricity consumption except where reasonably necessary to conduct PCEA's business or to provide services to customers as required by the California Public Utilities Commission (CPUC). Examples of reasonably necessary business purposes include but are not limited to when such disclosure is necessary to (a) comply with the law, regulation or court order; (b) enable PCEA to provide service to its customers; (c) collect unpaid bills; (d) obtain and provide credit reporting information; (e) resolve customer disputes or inquiries; (f) communicate about demand response, energy efficiency, energy management, and conservation programs, or (g) in situation of imminent threat to life or property. PCEA will not disclose customer information for telemarketing, e-mail, or direct mail solicitation. Aggregate data that cannot be traced to specific customers may be released at PCEA's discretion.

PCEA will handle customer energy usage information in a manner that is fully compliant with the California Public Utility Commission's required privacy protections for customers of Community Choice Aggregators defined in Decision 12-08-045.