

Human Resources Division

SJC—Engage

44 N. San Joaquin Street

Stockton, CA 95202

Phone (209) 468-3370

SJCEngage.com

www.sjgov.org



San Joaquin County

New Employee Orientation Handbook

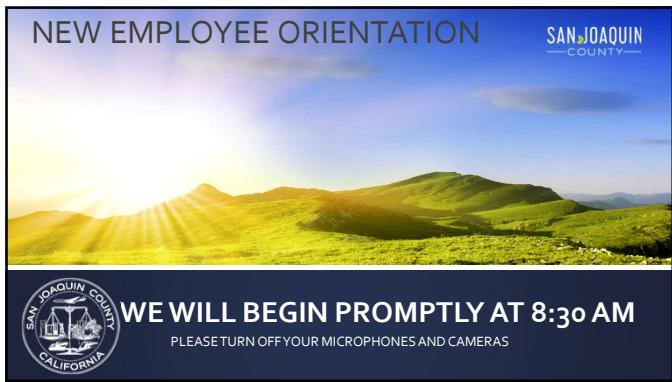
SAN JOAQUIN
COUNTY

Greatness grows here.

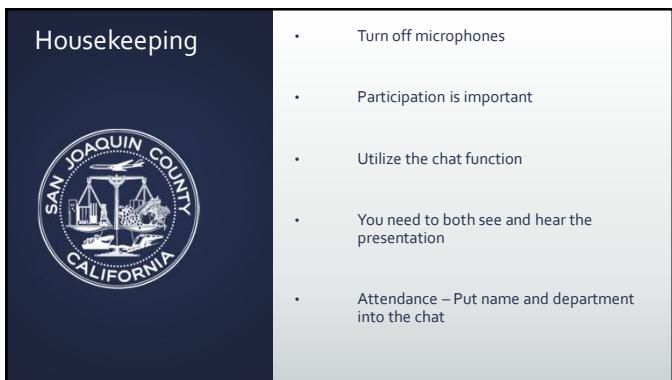
sjc
engage

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Frequently Used Terms

ACRONYMS

- DTP = Department Training Processor
- DNP = Department NEO Processor
- DVIC = Department Volunteer & Internship Coordinator
- DSHR = Department Safety & Health Representative
- EEO = Equal Employment Opportunity (Coordinator)
- EPAD/PAYROLL = Employee PeopleSoft/Payroll Database Processor
- MOU = Memorandum of Understanding
- NEO = New Employee Orientation

THE BIG MYSTERY?

SAN JOAQUIN COUNTY							2026							PAYDAYS & HOLIDAYS							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	
JANUARY							FEBRUARY							MARCH							
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PAYOUTS & HOLIDAYS							REGULAR HOLIDAYS							REGULAR HOLIDAYS							
JANUARY							FEBRUARY							MARCH							
New Year's Day January 19 Martin Luther King Day February 20 Presidents' Day March 21 Easter Sunday March 22 Good Friday March 23 Ascension Day							February 20 Presidents' Day February 21 Lincoln Day February 22 Washington's Birthday February 23 Presidents' Day February 24 Super Bowl Sunday February 25 Groundhog Day February 26 Valentine's Day February 27 President's Day February 28 President's Day February 29 President's Day							March 20 St. Patrick's Day March 21 President's Day March 22 President's Day March 23 President's Day March 24 President's Day March 25 President's Day March 26 President's Day March 27 President's Day March 28 President's Day March 29 President's Day March 30 President's Day March 31 President's Day							
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*Employee rights to paid time off are based on the employee's length of service and the employee's pay rate. Please refer to your MOU for specific information on paid time off.

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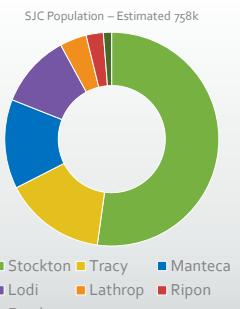
***Employee rights to paid time off are based on the employee's length of service and the employee's pay rate. Please refer to your MOU for specific information on paid time off.

3

How much do you know about
San Joaquin County?

?

Which Cities does
San Joaquin
County Include?



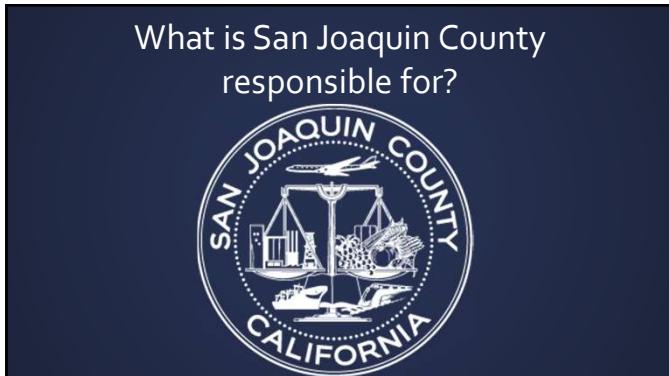
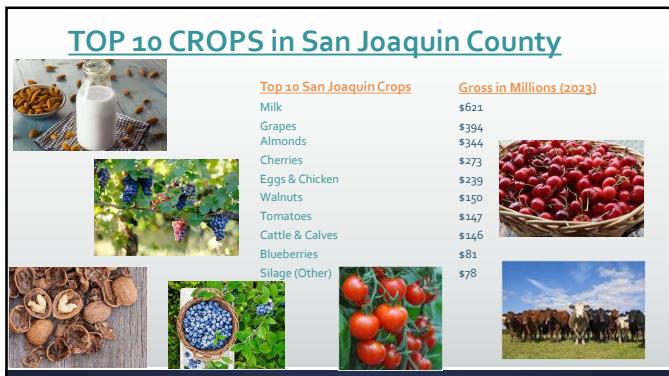
?

How many
people does
SJC employ?

8,500+



Which crops do
best in
San Joaquin
County?





San Joaquin County must deliver services mandated by the State of California and the Federal Government.

Some services are provided county-wide (approx. 1,500 miles).

Some additional services are provided in unincorporated areas.

San Joaquin County – Responsibilities

General Government & Capital Maintenance

Law & Justice

Roads & Facilities

Health Services

Human Services

Environmental Protection

Recreation & Education



General Government & Capital Maintenance

- Assessor
- Auditor-Controller
- Board of Supervisors
- Clerk of the Board
- County Administrator
- County Counsel
- Employment & Economic Development (WorkNet)
- General Services
- Human Resources
- Information Systems Division (ISD)
- Registrar of Voters – Elections (ROV)
- Purchasing & Support Services
- Recorder – County Clerk
- Treasurer – Tax Collector



Law & Justice

District Attorney
Child Support
Public Defender
Probation Department
Sheriff – Public
Administrator



Roads & Facilities



- Public Works
- Solid Waste
- Stockton Metropolitan Airport



Environmental Protection

Agriculture Commissioner
Community Development
Environmental Health
Cooperative Extension

Health Services

San Joaquin General Hospital
San Joaquin County Clinics
Coroner

Health Care Services:
Emergency Medical Services
Mental Health Services
Public Health Services
Substance Abuse Services



Human Services Agency



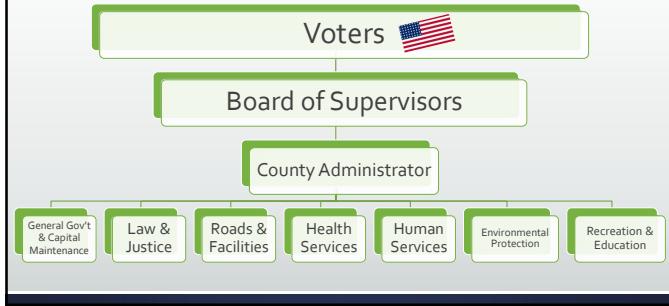
Recreation & Education

Parks & Recreation
Micke Grove Zoo
Oak Grove Nature Center

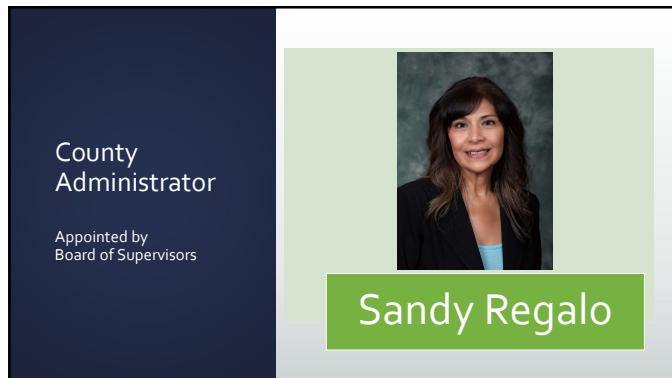
Cooperative Extension



So...How do decisions get made?







"What am I responsible for now
that I work for the tax payers?"



Employee Expectations

Know Policies

Follow
Procedures

Display
Professionalism



County Work Rules

Rule 14 of the Civil Service Rules and Regulations gives department heads the authority, with input from the Director of Human Resources, to establish specific regulations governing the conduct, appearance, and performance of employees in their departments. Any rules established by a department must be in conformance with existing state and federal laws, Civil Service Rules, and negotiated Memorandum of Understanding.

Work Rule 1. Conduct

- County departments are public service agencies, and employees shall provide prompt, courteous service to the clients they serve. Fellow employees shall also be treated with courtesy and consideration. Employee's conduct and language on the job shall be appropriate to the work setting.

Work Rule 2. Standards of Dress and Appearance

- Personal appearance has a direct bearing on the impression that clients and the general public have of the County, its departments, and the services they provide. Employees shall dress in a neat and business-like manner appropriate to their job classification and duties.

Work Rule 3. Use of Equipment, Materials, and Other County Property

All County property is to be used for County business only. Individual work areas including offices, desks, files, and bookcases are County property and open to the County as employer at all times unless excluded by specific agreement or by the Peace Officers Bill of Rights. In addition, employees shall exercise care to protect any County property entrusted to them and to use it in the manner for which it was intended.

Work Rule 4. Work Hours

- Employees shall begin work on time and devote their assigned work hours to carrying out their jobs. Rest breaks, meals and time off shall be taken at times authorized by the employee's department head (or designee).

Work Rule 5. Confidentiality

- Employees shall maintain the confidentiality of files and other information obtained on the job. Release of any information to other persons shall be authorized by the employee's department head (or designee).

Work Rule 6. Personal Business

- Employees shall not conduct personal business on County time.

Work Rule 7. Use of Alcoholic Beverages or Controlled Substances

- County departments Employees shall not use or have in their possession, opened containers of alcoholic beverages or any controlled substances during work hours or on County premises, unless the substance was specifically prescribed for that employee by a physician or unless specifically sanctioned by the department head. In addition, employees shall not report to work under the influence of such substances.

Work Rule 8. Safety

- Employees shall follow all safety rules for the performance of their jobs and operation of equipment. Employees shall report unsafe conditions to their department heads (or designee).

Work Rule 9. Outside Employment

- The County may limit an employee's employment in other jobs if:
 - the outside employment interferes with the performance of the employee's County job,
OR
 - there is a conflict of interest as specified in Government Code 1126
- Employees have an obligation to inform their department heads (or designee) of outside employment so the above determinations can be made.

Work Rule 10. Political Activity

- Employees shall not engage in political activities, which are prohibited by law, on County time or with employees who are on County time.

Things you **must** make yourself aware of:

- ❑ *County Work Rules*
- ❑ *Department-specific rules*
- ❑ *Laws*
- ❑ *Confidentiality*
- ❑ *Ethical Behavior*
- ❑ *Smoking Policy*

Know Policies

Do your job the right way:

- Follow the rules, fill out the form, respect the systems in place*
- Lead by example*
- Speak up if you need support in following a procedure*
- Ask questions and understand the WHYS*
- Be proactive about getting the Training you need!*

You are the face of government:

- ❑ *EVERY interaction should display respect and service (internal/external)*
- ❑ *We all have an opportunity to create/change public beliefs*
- ❑ *KINDNESS is allowed*
- ❑ *Value time – yours and others*
- ❑ *If you don't know how to handle a situation, ASK!*
- ❑ *Our work may be emotional – manage your emotions and focus on solutions*

Disaster Service Workers (DSW):

- All County staff are considered DSWs*
- You may be activated to support departments in an emergency*
- As a DSW, an employee cannot refuse a DSW assignment*
 - Employees on approved LOA will not be activated*
- You will not be assigned tasks outside of your qualifications*
- Assignments vary and you may not be activated for assignments under your typical classification*

**YOU ARE A
DSW**

YOU ARE A
DSW

Public vs. Private vs. Non-Profit

There are different fiduciary responsibilities

Fiscal Differences

WORKING FOR THE BETTERMENT OF THE COMMUNITY	MERIT BASED SALARIES	MERIT BASED ADDITIONAL TIME OFF/BONUSES	STRICT FISCAL TRANSPARENCY
PUBLIC	X		X
PRIVATE	/	X	X
NON-PROFIT	X	X	X



Creates professional development and personal wellness opportunities that inspire San Joaquin County employees to grow.

- Provides access to applicable professional development offerings that enhance the performance and career of San Joaquin County employees.
- Provides the ability for employees to educate themselves on important wellness topics and evaluate their own wellness opportunities.
- Consistently supports a culture where coworkers are able to support one another and serve the community.
- Strives to make San Joaquin County a leader in employee engagement and wellness.

How does training work?

- Visit the Course Catalog on the sjcengage.com website
- Speak to your Supervisor for approval (if necessary) and complete a [registration form](#)
- Connect with the [Department Training Processor](#) at your location to enroll

**hint: the list of Department Training Processors is on the catalog website*

NEW Elective Courses added every session!



Workplace Wellness Program

- Wellness includes **Physical, Emotional, Social, Financial and Professional** components. Wellness at San Joaquin County means the "whole person"
- Educational Opportunities, Exercise Opportunities, Service Opportunities
- Supportive Social and Physical Environments
- Organizational Integration of Wellness Culture
- Links to Related Programs – Discounted Offerings
- Wellness Gladiators

A screenshot of the engage at work platform. The top navigation bar includes a logo, a search bar, and a '5 studies' badge. Below the navigation is a grid of perk categories: 5 STAR for a Day, Learning, Tickets, Electronics, Travel, Finance, Health, Family, and Exclusives. To the right of the grid is a large image of an office environment with the text 'Welcome Back, Oriana'. Below the grid, the tagline 'Savings that Matter' is displayed, followed by three images: a large gold star with the number 5, a car driving on a road with trees, and a collection of electronic devices (laptop, tablet, smartphone).

ISD County Work Rules



- Handbook
- Viruses
- Computer Use
- Copyright Laws
- Information Security Awareness

Risk
Management
& Safety



Contact:
(209) 468-3376

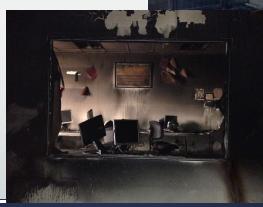
Risk Management

"Risk Management is the process of making and carrying out decisions that will minimize the adverse effects of accidental losses upon an organization."

Risk Management

...involves

- Stopping losses from occurring
- Paying for inevitable losses



Safety

"Safety is the control of accidental loss and is designed to help prevent injuries and illness both on and off the job."

Who is responsible for Safety?

- Employees
- Managers and Supervisors
- Department Heads
- Risk Management

Employees

- Promote safe work habits
- Learn and follow appropriate standards
- Report risks



Managers and Supervisors

- Maintains compliance with County Department **Injury & Illness Prevention Program**
- Safeguards and trains staff
- Creates and maintains a safe and healthy work environment

Department Heads

- Implement an effective safety program
- Maintain accurate safety records
- Maintain a safe and healthy work environment
- Protect the public from risk

Risk Management

- Directs overall county safety program
- Acts as county safety advisor
- Prepares county memorandums
- Assists departments in all aspects safety
- Assessment, training, implementation
- and much more ...

In case of injury...

"An employee who is injured as a result of an incident arising out of work and in the course of employment may receive all reasonable medical, surgical, and hospital services and supplies necessary to cure or relieve the effects of the injury."

2571 Worker's Compensation Insurance Program

Employee Injuries

What should you do if you are injured on the job?

- Report the accident immediately to your supervisor.
- File an accident report form available from Supervisor.

Worker's Compensation

Employee rights:

- Treatment for injury
- Treatment by choice of physician (conditions apply)
- Workers' Compensation
 - Available after 3 days
 - Immediate benefits if hospitalized
- Temporary Disability Indemnity (TDI)

Accidents in a County Car

Employee responsibilities:

- Do not leave scene until full information is gathered on the accident.
- Do not admit blame.
- Immediately notify the local police.
- Report the accident to your department as soon as possible.



Any Questions?



After the break...
return @ 11:00

➤ Diversity, Respect & Inclusion

- Please be punctual and respect the schedule. If you are more than 15-minutes late to any session you will not be invited into the training.



Housekeeping

- Please turn off your cameras and microphones for the duration of all of the trainings
- Please utilize the chat function for all questions
- Participation is golden
- You will need to see & hear the entire presentation

Learning Objectives

- Have an awareness of what diversity is and the need for diversity awareness training;
- Understand culture and strategies for gaining cultural competence;
- Learn what prevents us from valuing our differences;
- Learn the importance and role of inclusion in the workplace;
- Strategies to promote Diversity and Inclusion?

Defining Diversity

Diversity is all the things that make us different.



SJC Definition of Workplace Diversity

Workplace diversity encompasses a broad range of human qualities. These qualities include, but are not limited to, age, education level, ethnicity, gender, gender identity or expression, geographic origin, job classification, mental or physical disability, national origin, political belief, race, religious belief, sexual orientation, socio-economic status, and work experience.

In San Joaquin County, diversity in the workplace means empowering a workforce that is inclusive of these human qualities, which in practice recognizes and embraces the unique contributions of individuals, creating a work environment that maximizes the potential of all employees.

SJC Vision Statement on Workplace Diversity

In San Joaquin County, we believe that every individual is important and adds to the overall quality of our organization. We view diversity in our workplace as business strength; essential to providing excellent support and services to the community we serve.

We are committed to fostering an inclusive and welcoming environment, reflective of the diversity of our community. We are committed to an environment where every individual may grow personally and professionally, where everyone's contributions are acknowledged, respected, and appreciated, and where we celebrate the differences that make us a strong organization.

By working together, we can attract, develop, recognize and retain highly skilled and talented individuals.

Understanding Generational Differences

FIVE Generations in the Workplace

Generations Birth Years

Traditionalists	before 1946
Baby Boomers	1946 - 1964
Generation X	1965 - 1980
Generation Y(millennials)	1980 – 1997
Generation Z	after 1997

Cuspers are people who were born in the three to five years that overlap two generations.

Welcome to Inclusion Insights



- Exciting course with video by Steve Robbins
- You will watch video
- Examine the key insights
- Discuss how this content might change the way you look at and apply diversity in your organization.

Stereotype and Prejudice

- **Stereotype** – Generalizations applied to a whole group of people, without regard for the individual.
- **Prejudice** – Any favorable or unfavorable preconceived opinions, feelings, or attitudes formed without sufficient knowledge, thought, or reason.
- **Discrimination refers to actions.**



**Diversity
without
Inclusion
will NOT work!**



What is Inclusion?

- **Inclusion** is a state of being valued, respected, and supported. It's about focusing on the needs of every individual and ensuring the right conditions are in place for each person to achieve his or her full potential. Inclusion should be reflected in an organization's culture, practices, and relationships that are in place to support a diverse workforce.

In simple terms, **diversity is the mix; inclusion is getting the mix to work well together.**



How Can YOU Promote Diversity & Inclusion?

- Lead employees by example; respect people and differences in the workplace. Walk the talk.
- Incorporate diversity in policies, strategic plans, and operational procedures.
- Create a welcoming, inclusive environment in which to conduct business.
- Learn and practice early conflict resolution strategies.
- Practice regular, effective, and open communication.
- Think before you speak and be sensitive to others.
- Talk about your differences and ask tactful questions about how people want to be treated.
- Recognize and respect others and their individuality.
- Eliminate stereotypes and generalizations.

PERSPECTIVE

SJC Engage & Inclusion

One of the many ways San Joaquin County Human Resources has invested in the health and well being of our staff is through the San Joaquin County Engage Program

Information regarding San Joaquin County's stance on diversity can be found on our website at www.sjengage.com under the LIVING tab.



Equal Employment Opportunity...

If you have any questions, please call
the EEO Office at [468-3370](tel:468-3370).

Visit the EEO Website at:
[https://www.sjgov.org/department/
hr/divisions/eeo](https://www.sjgov.org/department/hr/divisions/eeo)

Questions



“Diversity is being invited to the party. **Inclusion** is being asked to dance.”

VERNĀ MYERS

Diversity is the Noun
and Inclusion is the Verb

After the break...
return @ 1:30

- SJC Employee Retirement Association (SJCERA)
- New Employee Benefits Presentation
- Union Representative(s)

➢ Please be punctual and respect the schedule. If you are more than 15-minutes late to any session you will not be invited into the training.

Other Useful Information

- Departments can't answer questions about the benefits documents. You have to reach out to the presenters today regarding their specific topic.
- We have a partnership with In-Shape Fitness clubs & BMO
- We have an education reimbursement program (refer to MOU)
- Federal Student Loan Forgiveness (Not a County Program)

After the break...
return @ 3:15

- Day 2 walk-through
- Union Representative(s)



Thank you & Welcome to the County!

Oriana Maghoney | Human Resources Division – Staff Development





SEIU 1021 Stronger Together!



WELCOME!!

- Welcome! Congratulations on **your** new **UNION** job! You are now covered by an SEIU Local 1021 Union contract & stand together with over 6,000 employees here in San Joaquin County and more than 60,000 workers in our Local who work in local government, nonprofit agencies, health care programs, colleges, and schools throughout Northern California.

LET'S GET ACTIVATED!

- The **first step** at a new UNION job is to **activate** your membership.

Go to www.join1021.org via your phone or computer, or you can scan the QR code below. It takes less than two minutes!



WHAT NOW?

- After submitting your application, you will receive an email confirmation. Upon activation, you will **immediately receive all** the benefits of your Union. If you want to learn more about your rights and Union benefits, please visit our website, www.seiu1021.org, or call our **Member Resource Center** at 1-877-687-1021.

We look forward to seeing you at the worksite!



1



2



3

1

Workplace Violence?...



4

The Law

- Under the General Duty Clause, Section 5(a)(1) of the Occupational Safety and Health Act (OSHA) of 1970, employers are required to provide their employees with a place of employment that "is free from recognizable hazards that are causing or likely to cause death or serious harm to employees".



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Workplace Violence Incident Report Form

<https://www.sjgov.org/department/hr/default> (Human Resources Website)

<https://www.sjgov.org/department/hr/risk/forms> (Workplace Violence Incident Report Form)

<https://www.sjqov.org/department/hr/risk/policies> (SJ County Workplace Violence Policy)

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Types of Workplace Violence



- Type I: Criminal Intent
- Type II: Customers/Client/Patients
- Type III: Co-worker
- Type IV: Personal

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Workplace Violence

- Includes violent acts or the threat of violence.
- Harassment, intimidation, or other threatening, disruptive behavior.
- Can occur at or outside the workplace.
- Ranges from threats and verbal abuse to physical assaults and homicide.



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Statistics

According to the Bureau of Labor Statistics, 392 U.S. workers were workplace homicide victims in 2020.

- Of those victims who died from homicide:
 - 81% were men
 - 44% were aged 25 to 44
 - 28% were Black and 18% were Hispanic

There were also 37,060 nonfatal injuries in the workplace resulting from an intentional injury by another person.

<https://www.cdc.gov/niosh/topics/violence/fastfacts.html>

An annual average of 1.3 million nonfatal workplace violent victimizations occurred during the combined five years from 2015 to 2019 (based on data from Bureau of Justice Statistics (BJS) National Crime Victimization Survey).

9

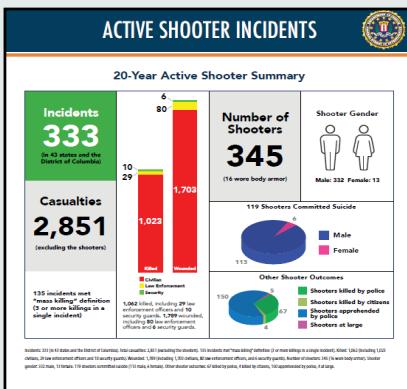
Statistics

California Department of Industrial Relations
Workplace Violence Incidents at Hospitals
10/01/2020-9/20/2021 (including 311 facilities)
Total Incidents reported: 10,005

<https://www.dir.ca.gov/dosh/Reports/Annual-Report-WPV-Incidents-2020-2021.pdf>

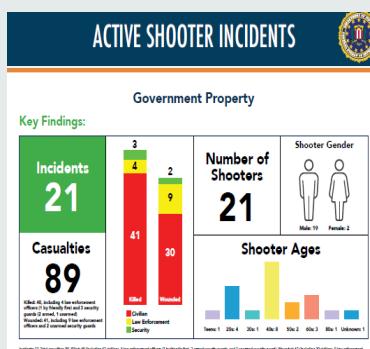
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2000-2019 FBI Study of Active Shooters

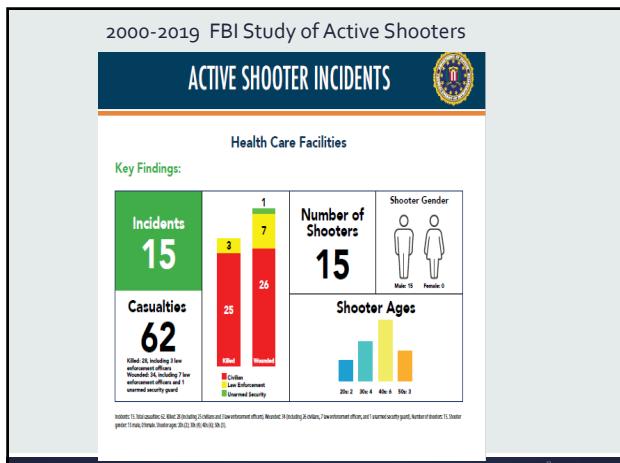


11

2000-2019 FBI Study of Active Shooters



12



13

Approaches to Violence Prevention - Preparation

- Assess the situation
 - Physical environment
 - Personal
- Attempt to gain control of the situation
 - Listen
 - Solution
- Develop a plan ahead of time
 - Develop engineering control systems (alarm, video screening, metal detection)
 - Know department codes
- Take care of your own stress

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Workplace Violence?...



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Recognizing Warning Signs

- Invading personal space
- Flushed face, twitching face or lips, and shallow breathing
- Escalating loudness, often with profanity
- Using overly aggressive actions and language, possibly due to intoxication or drug abuse
- Making statements about losing control (veiled threats)
- Opening and closing of the hands and/or using the index finger to point
- Darting or jerking eye movements, rapid looking around



16

Workplace Violence?...



17

Diffuse/De-escalation Techniques in Managing Negative Behavior

- Stand at an angle to the disturbed person, which is less threatening than directly facing him or her.
- Do not invade personal space; stay at least four feet from the individual.
- Do not maintain a rigid stance or cause the individual to feel cornered.
- Do not touch the individual, unless it is necessary to manage extreme behavior.
- Break eye contact with the individual to reduce the suggestion of aggression or control
- Ask the individual, "Why are you so angry?"
- Show that you are listening to the individual and respect his or her feelings.

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Workplace Violence?...



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Diffuse/De-escalation Techniques in Managing Negative Behavior

- Indicate that you want to help resolve the situation and do not make any promises you cannot keep.
- Display sincerity, do not make threats, and do not set limits that you cannot enforce.
- Clarify communication and ask for specific responses.
- Ignore challenges and comment only on the person's behavior.
- Move and speak slowly, quietly, and confidently.

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Constructive Anger Management

- Awareness
 - Pay attention to body language
 - Watch and listen for anger “triggers”
- Assertion
 - Avoid threats or manipulation
 - Use “I” messages
- Limits
- Expectations
- Contact
 - Listen actively and carefully
 - Be genuine, don’t play a “role”

Things to Avoid

- Arguing
 - Confronting
 - Defending
- Put-downs
 - Criticizing, blaming, labeling
 - Sarcasm, teasing



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Never Say

- Calm down
- It's your fault
- I told you . . .
- Is that the best you can do
- We have no control over that
- You should/shouldn't have
- No
- I can't

These are “hot-button” words that set off angry or upset people.

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Imminent Danger

Above all, **trust your instincts**. Situations of immediate danger dial **9-911** (if someone is brandishing a firearm).



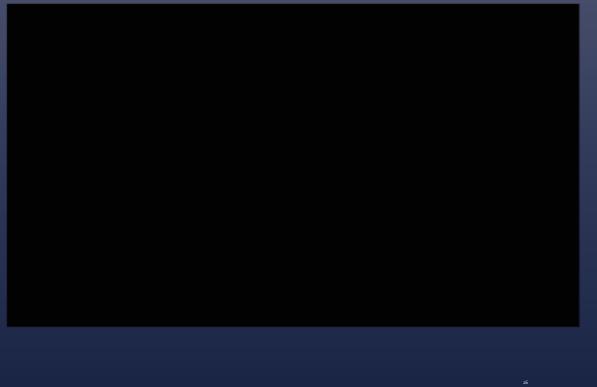
24

RUN, HIDE or FIGHT



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RUN, HIDE or FIGHT



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Run

Have an escape route and plan in mind

- Evacuate regardless of whether others agree to follow
- Leave your belongings behind
- Help others escape, if possible
- Stop individuals from entering the active shooter area
- Keep your hands visible and do not run to police officers
- Follow the instructions of any police officers
- Do not attempt to move wounded people
- Call 911 when you are safe



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Hide Out

If evacuation is not possible, find a hiding place and ensure the following:

- Be out of the active shooter's view
- Provide protection if shots are fired in your direction (i.e., an office with a closed and locked door)

Do not trap yourself or restrict your options for movement to prevent an active shooter from entering your hiding place:

- Lock the door
- Block the door with heavy furniture



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Hide Out - Continued

- Lock the door
- Silence your cell phone and/or pager
- Turn off any source of noise (i.e., radios, televisions)
- Hide behind large items (i.e., cabinets, desks)
- Remain quiet



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If evacuation and hiding out
are not possible

- Remain calm
- Dial 911, if possible, to alert police to the active shooter's location
- If you cannot speak, leave the line open and allow the dispatcher to listen



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Fight

As a last resort, and only when your life is in imminent danger, attempt to disrupt and/or incapacitate the active shooter by:

- Acting as aggressively as possible against him/her
- Throwing items and improvising weapons
- Yelling
- Committing to your actions



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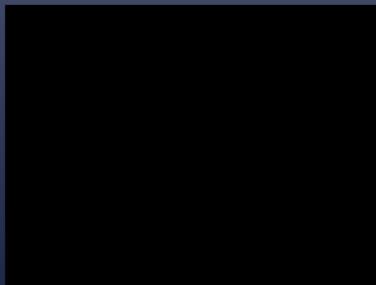
Incident Reporting

- Report incident to immediate supervisor or manager
- Supervisor or manager will complete and file report with Human Resources



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Workplace Violence?...



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The image contains two parts. The top part is a logo for the Anthem Employee Assistance Program (EAP). It features the word "Anthem" in blue, bold, sans-serif font next to a blue square icon with a white cross inside. To the right of the logo, the words "Employee Assistance Program (EAP)" are written in a smaller, black, sans-serif font. The bottom part is a photograph of a therapy session. A man with dark hair and a beard, wearing a grey cardigan over a white shirt, is sitting on a light-colored sofa, gesturing with his hands as if speaking. He is facing a woman with curly hair, seen from the back, who is wearing a grey top and is holding a white clipboard. The background shows a window with blinds and a cityscape outside.

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**SAN JOAQUIN
COUNTY**
Greatest grows here.

Employee Assistance Program (EAP)

www.anthemEAP.com Login PRISM
Phone 833-954-1067

[About Your Services](#) [EAP Orientation](#) [Feedback](#) [Email the Expert](#)

Choose Language: [English](#) [Spanish](#)

[Search](#) [On](#)

[Advanced Search](#)

[Parenting](#) [Aging](#) [Balancing](#) [Thriving](#) [Working](#) [Living](#) [International](#)

 <p>RESOURCE CENTER</p> <p>Your self-service area to:</p> <ul style="list-style-type: none">• Search for EAP counselors• Confirm your first appointment• Send messages to your EAP	 <p>FIND RESOURCES NEAR YOU</p> <p>Your self-service area to find:</p> <ul style="list-style-type: none">• Child Care• Pet Services• Babysitter• Elder Care <p>Use our handy search tool</p>	 <p>FINANCIAL AND LEGAL ASSISTANCE</p> <ul style="list-style-type: none">• Quick! WillMaster & Trust• Financial management tools• Legal assistance	<p>Talkspace</p> <p>Learn to Live</p> <p>Let's Talk Depression</p> <p>Domestic Violence</p> <p>Critical Event Support</p> <p>Addiction and Recovery</p> <p>Special Feature</p> <p>ID Monitoring</p> <p>Legal/Financial</p> <p>Live Tobacco Free</p> <p>Saving Center</p>
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In Conclusion

Goals of this presentation were to:

- Heighten employee awareness of:
 - The extent and potential for workplace violence.
 - Characteristics of potentially violent situations.
 - Options that can be taken by the company and individuals to reduce the potential for and more effectively deal with incidents of workplace violence.

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Be S.A.F.E. (Not Sorry)

S - Stay Aware

Keep your eyes and ears open

A - Analyze the Situation

Always consider the big picture

F - Factor in Feelings

Trust your instincts

E - Engage in Solution

Speak up, talk to someone in authority

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Questions / Comments

- **Lolita Pearson – Safety Officer**
 - (209) 468-3373
- **Andy Slater – Risk Management Analyst**
 - (209) 953-7427
- **County Human Resources**
 - (209) 468-3370
 - www.sjgov.org/hr



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San Joaquin County Work Rules

1. Conduct

County departments are public service agencies, and employees shall provide prompt, courteous service to the clients they serve. Fellow employees shall also be treated with courtesy and consideration. Employee's conduct and language on the job shall be appropriate to the work setting.

2. Standards of Dress and Appearance

Personal appearance has a direct bearing on the impression that clients and the general public have of the County, its departments, and the services they provide. Employees shall dress in a neat and business like manner appropriate to their job classification and duties.

3. Use of Equipment, Materials, and Other County Property

All County property is to be used for County business only. Individual work areas including offices, desks, files, and bookcases are County property and open to the County as employer at all times unless excluded by specific agreement or by the Peace Officers' Bill of Rights. In addition, employees shall exercise care to protect any County property entrusted to them and to use it in the manner for which it was intended.

4. Work Hours

Employees shall begin work on time and devote their assigned work hours to carrying out their jobs. Rest breaks, meals and time off shall be taken at times authorized by the employee's department head (or designee).

5. Confidentiality

Employees shall maintain the confidentiality of files and other information obtained on the job. Release of any information to other persons shall be authorized by the employee's department head (or designee).

6. Personal Business

Employees shall not conduct personal business on County time.

7. Use of Alcoholic Beverages or Controlled Substances

Employees shall not use or have in their possession, opened containers of alcoholic beverages or any controlled substances during work hours or on County premises, unless the substance was specifically prescribed for that employee by a physician or unless specifically sanctioned by the department head. In addition, employees shall not report to work under the influence of such substances.

8. Safety

Employees shall follow all safety rules for the performance of their jobs and operation of equipment. Employees shall report unsafe conditions to their department heads (or designee).

9. Outside Employment

The County may limit an employee's employment in other jobs if:

- a.) the outside employment interferes with the performance of the employee's County job, OR
- b.) there is a conflict of interest as specified in Government Code 1126

10. Political Activity

Employees shall not engage in political activities, which are prohibited by law, on County time or with employees who are on County time.

Rule 14 of the Civil Service Rules and Regulations gives department heads the authority, with input from the Director of Human Resources, to establish specific regulations governing the conduct, appearance, and performance of employees in their departments. Any rules established by a department must be in conformance with existing state and federal laws, Civil Service Rules, and negotiated Memorandum of Understanding.

SAN JOAQUIN COUNTY
ALCOHOL AND DRUG ABUSE POLICY

Preamble

The County of San Joaquin receives various federal grants. As a consequence of the federal law governing such grants, the County certifies that it will provide a drug-free workplace. As part of the provision of a drug-free work place, the County requires each of its employees to notify the County in writing of any criminal drug statute conviction for a violation *occurring in the workplace* no later than five calendar days after such conviction. The County will notify the federal granting agency in writing within ten calendar days after receiving notice from an employee or otherwise receiving actual notice of such conviction. After having received such notice, the County will take one of the following actions with respect to any employee who is so convicted:

1. Instituting appropriate personnel action against such an employee, up to and including termination;
2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement or other appropriate agency.

1.0 PURPOSE

- 1.1 It is the purpose of this policy to eliminate substance abuse and its effects in the workplace. Drugs and alcohol consumption away from the job can affect job performance and employee safety. Employees must be able to perform their duties safely and efficiently in the interest of the public and their fellow workers, as well as themselves. The use/abuse of drugs and alcohol on the job and the influence of these substances on employees during working hours are not consistent with this objective.
- 1.2 This policy provides guidelines for the detection and deterrence of alcohol and drug abuse. It also outlines the responsibilities of San Joaquin County managers and employees. The County will act to eliminate any substance abuse such as alcohol, illegal drugs, prescription drugs or any other substance, which could impair an employee's ability to safely and effectively perform the functions of the particular job. All Civil Service employees should be aware that violation of the policy means that they may be disciplined subject to Civil Service Rule 18. Contract, temporary and Civil Service exempt employees may be disciplined but are not eligible for rights afforded by Civil Service Rules.

OPTIONS, the Employees Assistance Program, is available to assist employees who may have an alcohol or drug usage problem. Employees are urged to voluntarily seek confidential assistance from the Employee Assistance Program. While San Joaquin County will be supportive of those who seek help voluntarily, the County will be equally firm in identifying and disciplining those who continue to be substance abusers and who do not seek help. Alcohol and drug abuse are recognized as treatable conditions. Unless resolved, these problems repeatedly and continually interfere with an employee's ability to perform his or her job. Therefore, OPTIONS is designed to assist troubled employees. OPTIONS staff will advise employees how to access other rehabilitation services of their choice, whether it is the County health plan or other health plans.

2.0. **POLICY**

- 2.1 Employees shall not:
 - 2.1.2 Be under the influence of or in possession of an unsealed alcoholic beverage container or drugs while on County property, in County vehicles, or at work locations.
 - 2.1.3 Utilize such substances while they are on duty or paid standby.
 - 2.1.4 Sell or provide drugs or alcohol to any other employee or to any person while such employee is on duty or paid standby,
 - 2.1.5 Have their ability to work impaired as a result of the use of alcohol or drugs.
 - 2.1.6 The County may notify the appropriate law enforcement agency that an employee may be in possession of illegal drugs.
- 2.2 An employee taking a prescribed drug that may interfere with safe work performance shall be required to provide written documentation from the prescribing physician indicating the level of interference with job performance addressed in 5.5. The employee's immediate supervisor or department head shall determine on a case-by-case basis the employee's ability to perform employment responsibilities (see 3.2). Failure to notify a supervisor may result in disciplinary action up to and including termination. An employee may be required to provide a statement from a licensed physician, nurse practitioner or physician assistant indicating when the employee is able to work safely while taking the prescribed medication.
 - 2.2.1 An employee, who is not cleared to work, shall not be permitted to work. The employee may use sick leave, accrued time, or approved leave of absence until a licensed physician, nurse practitioner or physician assistant releases the employee.

2.3 A supervisor observing an employee with declining work performance and exhibiting ongoing behavior which could cause reasonable suspicion of a substance abuse problem may:

- 2.3.1.1 Counsel the employee regarding areas of declining work performance and recommend the employee utilize the Employee Assistance Program;
- 2.3.2 Document the behavior which has given rise to the suspicion of substance abuse;
- 2.3.3 Inform the appropriate manager (with departmental budget authority) of the supervisor's intent to recommend substance abuse testing;
- 2.3.4 Inform the employee of the department's intent to utilize this policy if a) the behavior does not change; b) the employee does not utilize the Employee Assistance Program.

After a manager has received training on substance abuse testing and referral and has taken all measures outlined above, he/she can direct an employee to take a test. Refusal to submit immediately to an alcohol and/or drug analysis and authorize release of test results when requested by a manager may be grounds for discipline subject to Civil Service Rule 18.

2.4 An employee believed to be under the influence of alcohol or drugs shall be prevented from engaging in further work and shall be directed to remain at the work site until transportation arrangements can be made.

- 2.4.1 Employees who insist on driving and who may be under the influence of alcohol or drugs are subject to arrest by a peace officer.

2.5 The County is committed to providing reasonable accommodation for those employees whose drug or alcohol problem classifies them as handicapped under Federal and/or State law.

2.6 The County's voluntary Employees Assistance Program (OPTIONS-EAP) is available to assist employees who voluntarily seek help for alcohol or drug problems. Employees are encouraged to contact the EAP program directly for additional information.

3.0 DEFINITION

3.1 "Reasonable suspicion" is a belief based on subjective evidence sufficient to lead a reasonably prudent supervisor to suspect that an employee is under the influence of drugs or alcohol to the degree the employee's ability to perform the functions of the job is impaired.

- 3.1.1 Any of following, alone or in combination, may constitute reasonable suspicion:
 - 3.1.1.1 Slurred speech
 - 3.1.1.2 Alcohol odor on breath
 - 3.1.1.3 Unsteady walking and movement
 - 3.1.1.4 An accident involving County property for which the employee is determined to be at fault.
 - 3.1.1.5 Physical altercation
 - 3.1.1.6 Declining work performance
 - 3.1.1.7 Possession of alcohol or unauthorized drugs

3.2 The presence of the above indicators does not determine that an employee is chemically dependent.

3.3 Managers are defined as any employee in Executive, Senior Management, Middle Management, Sheriff's Management, and Sheriff's Sergeant bargaining unit.

4.0 APPLICATION

This policy applies to all full, part-time, contract, and temporary employees of the County. This policy applies to all substances, drugs, or medications, legal or illegal, which could impair an employee's ability to effectively and safely perform the functions of the job.

5.0 EMPLOYEE'S RESPONSIBILITIES

An employee:

- 5.1 Must not report to work or be on paid standby while his/her ability to perform job duties are impaired due to alcohol or drug use;
- 5.2 Must not possess or use alcohol or illegal drugs during working hours or while on County property;
- 5.3 Must not directly, or through a third party, sell or provide drugs or alcohol to any person, including any employee, while either employee or both employees are on duty or on paid standby except as required in the performance of an employee's duties;
- 5.4 Must submit to an alcohol and drug test when requested by responsible a County manager, and authorize the release of results of the evaluation and/or test subject to Section 2.3 of this policy.
 - 5.4.1 Laboratory reports and/ or test results shall not be placed in an employee's personnel file. Laboratory reports, test results and/or rehabilitation-related records shall be maintained in a separate confidential file. The confidential file shall be in a locked secure location. The EAP program manager shall implement procedures to maintain the confidentiality of the laboratory reports and/ or test results and rehabilitation documents. Laboratory reports,

rehabilitation documents and /or test results shall not be released to law enforcement agencies without express written approval of the employee. Such information shall be disclosed to other individuals only on a substantiated need to know basis and to the employee upon request. Such disclosure shall be documented. The employee may receive a copy of the report and may review the log upon request. In the event a test does not indicate the presence of alcohol or a controlled substance, an employee, upon request, shall be given a letter indicating confirmation of such results.

It is the policy of the Employee Assistance Program to destroy all lab reports, rehabilitation documents and test results after a period of five years unless intervening referrals have been made.

5.5 If in the course of medical treatment an employee is prescribed medication, it is the employee's responsibility to ascertain from the prescribing physician whether the medication would interfere with job performance. If the medication causes impairment, the immediate supervisor or department head will determine the employee's fitness for duty.

6.0 MANAGEMENT RESPONSIBILITES AND GUIDELINES

6.1 Department heads are responsible for reasonable enforcement of this policy, maintaining confidentiality and for providing appropriate training to supervisory staff.

6.2 Managers can refer an employee to EAP for declining job performance or reasonable suspicion of chemical use. The EAP will provide assessment and referral services to appropriate treatment facilities. Supervisors are encouraged to refer employees to the EAP for intervention and rehabilitation. EAP services are confidential and supervisory referred employees are requested to sign a release of information form for attendance purposes.

6.3 Drug/Alcohol testing is used as a last resort after an employee refuses an EAP referral or EAP recommendations are rejected. The cost of the test(s) will be borne by the referring department. Managers may request that an employee submit to a drug and /or alcohol test when there is reasonable suspicion that an employee is intoxicated or under the influence of drugs or alcohol while on the job or on standby. Testing methods, procedures and laboratory procedures are arranged and managed by the Department of Health Care Services.

6.3.1 The National Institute of Drug Abuse shall perform the initial screening by a certified facility using the Immunoassay screening process where they use radioisotopes to develop antibodies (EMIT method). If the results are positive, the results will be confirmed by the gas chromatography/ mass spectrometer (GC/MS method) – San Diego.

To ensure a proper chain of custody, three specimens shall be collected as follows:

One specimen shall be provided in circumstances that maintain the integrity of the sample.

The specimen shall be divided into three containers that shall be sealed, labeled, and initialed without the containers leaving the employee's presence.

If a specimen is deemed positive, the employee shall have the option of submitting a second sample to a laboratory of his/her choice for a testing.

Any specimen deemed positive shall be retained and preserved by the laboratory for a minimum of six (6) months or until all legal proceedings relative to the test have concluded, whichever is later.

6.4 Managers requesting an employee to submit to a drug and/or alcohol test shall document in writing within two (2) working days the facts constituting reasonable suspicion that the employee is intoxicated or under the influence of drugs.

6.4.1 Original documentation is to be placed in the employee's departmental file and one copy given to the employee.

6.5 Where there is reasonable suspicion that the employee is under the influence of alcohol or drugs, the manager or supervisor is required to advise the employee to remain at the work site until transportation arrangements can be made to return the employee to his or her home. (See 2.5 & 2.5.1)

6.6 Managers and supervisors shall not physically search the person of employees, nor shall they search the personal possessions of employees.

6.7 Managers shall notify department heads or designees when they have reasonable suspicion that an employee may have illegal drugs or alcohol in his or her possession, including areas such as parking areas, break rooms, etc. If the Department Head or designee concurs that there is reasonable suspicion of illegal drug possession, the Department Head or designee may notify the appropriate law enforcement agency. Reasonable suspicion is defined in 3.1 if this document.

6.8 Alcohol and drug use or abuse by employees is not always evident. Managers shall continue to monitor job performance indicators of employees and refer troubled employees to EAP for intervention of possible chemical dependency. EAP counselors will determine treatment plans and inform the referring managers.

7.0 CONFIDENTIALITY

7.1 Specific treatment services provided by OPTIONS-EAP are confidential and are not released without the employee's authorization. Employees who are referred by

supervisors will be required to sign a release of information form to notify their supervisor of attendance. Specific information shared with EAP staff is confidential unless required by law for child abuse or threats of bodily harm.

7.2 For the purpose of this policy, alcohol and drug use or abuse by employees will be held in the strictest of confidence and shared on a need-to-know basis with appropriate management supervisory and EAP staff.

BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN JOAQUIN
STATE OF CALIFORNIA

ORDINANCE NO. 3623

AN ORDINANCE AND AMENDING SECTION 5-1303 OF THE ORDINANCE CODE
OF SAN JOAQUIN COUNTY PERTAINING TO SMOKING WITHIN
COUNTY FACILITIES OR VEHICLES

The Board Supervisors of the County of San Joaquin, State of California, does ordain as follows:

SECTION 1. Section 5-1303 of the Ordinance code of San Joaquin County is amended to read as follows:

SECTION 5-1303. NO SMOKING IN COUNTY FACILITIES.

No smoking shall be permitted in County vehicles or enclosed facilities owned, operated or controlled by the County except:

- (a) In patients rooms under doctor's order when consistent with accreditation or licensing requirement.
- (b) In the inmate, living units of the main jail and the women's jail until such time as the jail Complex under construction is occupied.
- (c) In the Airport Terminal Restaurant and Lounge area with the ratio 75 percent no smoking and 25 percent smoking.
- (d) In leased buildings to private parties, which shall comply with the other provision of this Chapter.
- (e) In Sheriff's vehicles when the non-smoking Sheriff's personnel consent.

SECTION 2. COUNTY MANAGEMENT is directed to work to eliminate the exemptions that permit smoking. Health Care Services and Personnel are direct to increase the no smoking education program.

SECTION 3. This ordinance shall take effect thirty (30) days from the date of its passage. Before the expiration of fifteen (15) days after its passage, this ordinance shall be published in "The Record", a newspaper of general circulation, printed and published in the County of San

Joaquin, State of California, with the names of the members of the Board of Supervisors voting for and against the same.

PASSED AND ADOPTED at a regular meeting of the board of Supervisors of the County of San Joaquin, State of California, on this 24th day of September, 1991.

AYES: WILHOIT, COSTA, SOUSA, BARBER

NOES: NONE

ABSENT: SIMAS

GEORGE L. BARBER

GEORGE L. BARBER, Chairman
Board of Supervisors
County of San Joaquin
State of California

ATTEST: JORETTA J. HAYDE
Clerk of the Board of Supervisors of the
County of San Joaquin, State of California

By: CINDY DUBRUTZ
Deputy Clerk



(C: SMOKING)

California Family Rights Act

Sections 12945.1 and 12945.2 of the *Fair Employment and Housing Act* (FEHA) contain provisions relating to family care and medical leave entitlement. The Fair Employment and Housing Commission's (FEHC) interpretation of these provisions is contained in Section 7297.0 of the *California Code of Regulations*.

In addition to the family care and medical leave requirements of the FEHA, employers of five or more persons have additional obligations pertaining to pregnancy disability leave.

The federal *Family and Medical Leave Act* (FMLA) also ensures family care or medical care leave entitlement (29 USC §§ 2601 *et Seq.* Implementing regulations are contained in 29 CFR Part 825). The FMLA is enforced by the Wage and Hour Division of the US Department of Labor. The CFRA and pregnancy disability leave provisions of state law are enforced by the Department of Fair Employment and Housing (DFEH). Where differences between federal and state law exist, employers should comply with those provisions that are most beneficial to the employee.

This brochure addresses the most frequently asked questions regarding family care or medical leave entitlement.

Eligibility Requirements

For what reasons may an employee take a CRFA leave?

An employee may take an unpaid leave for the birth of a child for purposes of bonding, for placement of a child in the employee's family for adoption or foster care, for the serious health condition of the employee's child, parent, or spouse, and for the employee's own serious health condition.

What is a serious health condition?

Serious health condition means illness, injury (including on-the-job injuries), impairment, or physical or mental condition of the employee or a child, parent or spouse of the employee that involves either (1) inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential health care facility or (2) continuing treatment or supervision by a health-care provider.

May an employer require a written medical certification of the serious health condition of the employee, employee's child, parent, or spouse before granting the leave?

Yes. The employer may require written communication from the health-care provider of the child, parent, spouse, or employee with a serious health condition. The employer may not require the certification to identify the serious health condition. Certification is sufficient if it includes (1) the date on which the serious health condition commenced, (2) the probable duration of the condition, (3) an estimate of the amount of time the employee needs to care for the sick family member, (4) a statement that the serious health condition warrants participation of a family member to provide care during the period of treatment or medical supervision, or (5) a statement that the employee, due to the serious health condition, is unable to perform one or more of the essential functions of his or her job.

May an employee take a CRFA leave due to a disability related to her pregnancy, childbirth, or related medical condition?

No. An employee has no right to a CFRA leave for a disability related to pregnancy, childbirth, or related medical condition. Separate leave entitlement is provided by the FEHA's pregnancy leave provisions covered in Government Code Section 12945 (b) (2).

Under the FMLA, however, a pregnancy disability qualifies as a serious health condition and runs concurrently with California pregnancy disability leave.

What employers are covered under the CFRA?

Employers subject to the CFRA are those who do business in California and employ 50 or more part-time or full-time employees in any state. Covered employers include nonprofit, religious organizations, the State of California, including any political and civil subdivision of the state and cities, regardless of the number of employees.

What requirements must an employee satisfy to be eligible to take a CFRA leave?

To be eligible for a CFRA leave, an employee must be either a full-time or part-time employee working in California, have more than 12 months (52 weeks) of service with the employer, have worked at least 1,250 hours in the 12-month period before the date the leave begins and work at a location in which the employer has at least 50 employees within 75 miles of the employee's work site.

Leave Requirements

What is the maximum CFRA-leave entitlement?

Leave may total up to 12 workweeks in a 12-month period. It does not need to be taken in one continuous period of time.

How is the 12-month period calculated?

An employer may choose how to compute the 12-month period in which the 12 work weeks of leave entitlement occurs using any of the four calculation methods allowed under the federal FMLA regulations listed below. An employer must, however, apply the chosen method consistently and uniformly to all employees.

These methods are:

1. The calendar year;
2. Any fixed "leave year" of 12 months, such as a fiscal year or a year starting on an employee's anniversary date;
3. The 12-month period measured from the date an employee's first FMLA/CFRA leave begins; or
4. A rolling 12-month period measured backward from the date an employee uses any leave.

To how much leave are the CFRA-eligible employees entitled? What if they work more or less than five days per week or work alternative work schedules?

The leave entitlement is 12 work weeks or 60 workdays for full-time employees working a five-day, eight-hours-a-day work week during a 12-month period. For eligible employees who work more or less than five days a week or who work on alternative work schedules, the number of working days that constitutes 12 work weeks is calculated on a *pro rata* or proportional basis.

May the CFRA leave be added onto other forms of leave?

Yes. At the end of an employee's period(s) of pregnancy disability leave, a CFRA-eligible employee may request a CFRA leave of up to 12 work weeks for reason of the birth of her child, if the child has been born by this date. There is no requirement that either employee or child have a serious health condition. Nor is there a requirement that the employee no longer be disabled by her pregnancy, childbirth, or related medical condition before taking a CFRA leave for reason of the birth of her child.

Is there a minimum duration for a CFRA leave taken for the birth, adoption, or foster-care placement of a child?

Yes. The basic minimum duration of a CFRA leave is two weeks when the leave is taken for the birth, adoption, or foster-care

placement of a child. However, an employer shall grant a request for a CFRA leave of less than two weeks duration on any two occasions. In addition, leave taken for the birth, adoption, or foster-care placement of a child must be completed within one year of the qualifying event.

Is there a minimum duration for a CFRA leave taken for the serious health condition of a parent, child, or spouse or for the serious health condition of the employee?

No. Where the CFRA leave is taken for the serious health condition of a parent, child, or spouse or for the serious health condition of the employee, leave may be taken intermittently or on a reduced work schedule when medically necessary, as determined by the health care provider of the person with the serious health condition. However, an employer may limit leave increments to the shortest period of time the employer's payroll system uses to account for absences.

Are there any limitations to the CFRA leave entitlement?

Yes. If both parents are eligible for the CFRA leave but are employed by the same employer, that employer may limit leave for the birth, adoption, or foster-care placement of their child to 12 work weeks in a 12-month period between the two parents. No other limitations restrict these parents from taking a CFRA leave for other qualifying reasons.

Benefits

Must an employer pay employees during their CFRA leaves?

No. An employer is not required to pay an employee during a CFRA leave, except when an eligible employee elects or the employer requires the employee to use any accrued vacation time or other accumulated paid leave other than accrued sick leave. However, if the CFRA leave is for the employee's own serious health condition,

the employee may elect or the employer may require the employee to use any accrued vacation time or other accumulated paid leave, including any accrued sick leave. Additionally, accrued sick leave may be used for CFRA leave granted for any other reason if mutually agreed to by the employer and employee.

Must an employer continue health care coverage for employees during their CFRA leave?

Yes. If the employer provides health benefits under any group health plan, the employer has an obligation to continue providing such benefits during an employee's CFRA leave, an FMLA leave, or both. This obligation commences on the date leave first begins under the FMLA (i.e., for pregnancy disability leave) or under the FMLA/CFRA (i.e., for all other family care or medical leaves). The obligation continues for the duration of the leave(s), up to a maximum of 12 work weeks in a 12-month period.

Must an employer continue other benefits during an employee's CFRA leave?

Yes. During the period of CFRA leave, the employee is entitled to accrual of seniority and participate in employee benefit plans, including life, short-term or long-term disability or accident insurance, pension and retirement plans, and supplemental unemployment benefit plans to the same extent and under the same conditions as would apply to any other leave granted by the employer for any reason other than a CFRA leave.

Reinstatement

Must an employer reinstate the employee at the end of his or her CFRA leave?

Yes. Upon granting an employee a CFRA leave, the employer shall guarantee reinstatement to the same or comparable position and shall provide the guarantee in

writing upon the request of the employee. Employment in a comparable position means employment in a position that is virtually identical to the employee's original position in terms of pay, benefits, and working conditions, including privileges, prerequisites, and status. It must involve the same or substantially similar duties and responsibilities, skill, effort, and authority, must be performed at the same or geographically proximate work site, and ordinarily means the same shift or same or equivalent work schedule.

Are there any reasons an employer could deny reinstatement to an employee out on a CFRA leave?

Yes. An employer may deny reinstatement to an employee if his or her position ceased to exist, such as in a lay-off. An employer may also deny reinstatement if the employee taking the leave is a key employee (salaried and among the highest paid 10 percent), and the denial of reinstatement is necessary to prevent substantial and grievous economic injury to the operations of the employer. However, the employer must notify the employee of the intent to refuse reinstatement at the time the employer determines the refusal is necessary as well as give the employee a reasonable opportunity to return to work.

Notification

Must an employee give advance notice if he or she wants to take a CFRA leave?

Yes. An employee or employee's spokesperson shall provide at least verbal notice sufficient to make the employer aware the employee needs a CFRA-qualifying leave, state the reason for the leave, and the anticipated timing and duration of the leave. An employer may require 30 days advance notice before a CFRA leave is to begin if the need for the leave is foreseeable.

If 30 days is not practicable (i.e., lack of knowledge of approximately when leave will be required to begin, a change in circumstances, or a medical emergency), notice must be given as soon as practicable. Under all circumstances, it is the employer's responsibility to designate leave, paid or unpaid, as CFRA or FMLA. In addition, the employer shall respond to a leave request as soon as possible but within ten calendar days after receiving the request.

Must an employer inform employees of notice requirements?

Yes. An employer shall provide notice to his or her employees of the right to request a CFRA leave and shall post the notice in a conspicuous place or places where employees tend to congregate. If the employer publishes a handbook describing other kinds of personal or disability leaves available to its employees, the employer shall include a description of a CFRA leave in its next edition. The employer may include both pregnancy disability leave and the CFRA leave requirements in a single notice.

**For more information
(800) 884-1684**

**Sacramento area & out-of-state
(916) 227-0551**

TTY Number (800) 700-2320

EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- for incapacity due to pregnancy, prenatal medical care or child birth;
- to care for the employee's child after birth, or placement for adoption or foster care;
- to care for the employee's spouse, son, daughter or parent, who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service-member during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

***The FMLA definitions of “serious injury or illness” for current servicemembers and veterans are distinct from the FMLA definition of “serious health condition”.**

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any “group health plan” on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service in the previous 12 months*, and if at least 50 employees are employed by the employer within 75 miles.

***Special hours of service eligibility requirements apply to airline flight crew employees.**

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and

a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- interfere with, restrain, or deny the exercise of any right provided under FMLA; and
- discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulation 29 C.F.R. § 825.300(a) may require additional disclosures.



For additional information:
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627
WWW.WAGEHOUR.DOL.GOV

U.S. Department of Labor | Wage and Hour Division



WHD Publication 1420 · Revised February 2013

San Joaquin County



Information Security Handbook

August 31, 2009

**This Handbook Describes What You
Need To Know
To Be An Active Participant In**

**THE
SAN JOAQUIN COUNTY
INFORMATION SECURITY PROGRAM**

- Discover How To Make A Difference -

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Forward

San Joaquin County handles sensitive and confidential information daily. As employees of San Joaquin County, we have been entrusted with County information. With this trust comes the responsibility and obligation to ensure that information is used only for its intended business purpose. The information we use every day must be protected. Whether we work with paper records, a computer, or spend most of our day on the phone.

Anyone given the privilege of using San Joaquin County's computing and information resources is expected to act in a responsible manner by complying with all policies, relevant laws, and contractual agreements related to computers, networks, software, and computer information. To assist in understanding the policies and expectations of the County, this document has been developed. This document highlights existing County Information Security policies.

Ensure that you are aware of all your responsibilities. Read the **Information Security Program** and **Information Security Policies** on the County Intranet at <http://sjchome>.

When using County computing and information resources, a good general rule to follow is:

If it isn't County business, don't go there.

INFORMATION SECURITY IS OUR RESPONSIBILITY

Information Security Goals

Information is a valuable asset that needs to be protected from loss, unauthorized changes, and unauthorized disclosure.

The goal of Information Security is to ensure the confidentiality, integrity, and availability of information through safeguards.

“Confidentiality” – Assurance that information will not be disclosed to unauthorized individuals or processes. Disclosures can be from personal conversations, email, printed documents, unprotected data or other sources. Information must be classified properly and appropriate safeguards put in place.

“Integrity” – Assurance that information has not been altered or destroyed in an unauthorized manner. Information with integrity can be trusted and relied upon.

“Availability” – Assurance that systems and information are accessible and useable by those who need them.

Information appears in many forms.

Here are some examples:

CONVERSATION	FAX	MICROFILM
TELEPHONE	DISKETTES	CD'S
PAPER REPORTS	EMAIL	SCHEDULES CALENDARS
LETTERS	MEMOS	COMPUTER DISPLAYS

AND
“THE INTERNET”

What are the Threats?

Every day, the County is faced with threats that can often result in stolen or altered information. Unauthorized people could maliciously delete, or browse information, whether or not it is confidential or sensitive. At risk is the integrity of critical files and systems. The impact can have a devastating effect on the County. These threats take many forms.

Examples of Threats:

- Viruses
- Worms
- Hoaxes
- Wireless Attacks
- Identity Theft
- Hackers
- Phishing
- Social Engineering Attacks
- Instant Messaging
- Physical Security Flaws
- Spam
- Spyware

Impact of Malicious Actions

The impact of malicious actions can be devastating.

- Personal information loss can result in identity theft
- Employees could face disciplinary actions
- Corrupted information could cost time and money to recreate
- The County's reputation and credibility could be damaged from bad publicity from media coverage and news reports
- There could be a loss of trust by employees and the public
- Giving out private information could cause costly legal actions to be brought against the County
- Management could make a bad decision based upon incorrect information

More than ever, it is important to be AWARE of what can be done to help minimize these risks.

Policies and Controls

Policies are needed to ensure that each person is accountable for his or her actions. Controls built from County policy protect the honest user from unfair suspicion. Without accountability, all are equally suspect when something bad happens.

Problems with information are usually caused by honest errors or omissions. Controls help prevent errors, identify those who need help, and limit the damage their mistakes cause.

Lack of policies and controls results in ineffective security.

Policy and controls example:

Internet access provides a good example of why policies and controls are needed. The Internet constantly challenges us with security risks such as viruses and hackers, but the County needs to access the Internet for day-to-day tasks. Even if all Internet security risks were eliminated, there are still issues with the vast content of information that is not business related. If access to the Internet content is not controlled, staff could accidentally enter a web site that contains pornography or gambling. This could easily offend the computer operator or anyone that can see what is being displayed on the screen. If the computer is in a public area, children could be exposed to adult content. To address these concerns, a countywide web filtering policy and software standard were established. All County access to the Internet must be done through the standard web filtering system. This provides department heads with the ability to control Internet access to those sites that support business requirements.

The *Information Security Program* and *Information Security Policies* can be found on the County Intranet at <http://sjchome>.

Public and Private Information

Even though we are a local government agency, we have a responsibility to protect the privacy of our citizens and employees, and to ensure that government continues to serve our community without costly interruptions or loss of data.

Some of the information that we are entrusted with is not necessarily public information. Examples of private information would be credit information, social security numbers of employees or customers and most law enforcement information.

There are federal laws that protect a person's right to privacy and prohibit unauthorized computer access and violation of copyright, patents, and trade secrets. Violation of these laws can result in litigations.

Legal Responsibilities

The County is legally obliged to protect information furnished by employees or customers and is accountable for correct and appropriate use. Inaccurate information can lead to legal issues.

The laws such as the 1987 Computer Security Act, the Health Insurance Portability and Accountability Act (HIPAA), and the Sarbanes–Oxley Act (2002) were brought in to safeguard privacy and regulate information dissemination.

California laws, such as “California Penal Code 502” affords protection to individuals, businesses, and governmental agencies from tampering, interference, damage, and unauthorized access to lawfully created computers, computer systems, and computer data.

Handling Contacts With People

Social Engineering

“Social Engineering” is a term indicating the method in which people are manipulated, rather than machines, to gather information to bypass or breach the security systems of an enterprise. It is probably the greatest security risk that we face in protecting our information from theft and misuse, even greater than direct hacking of our systems.

How do you guard against Social Engineering?

- Don’t allow yourself to be pressured or hurried by someone.
- Follow security procedures and don’t take short-cuts.
- Ask for photo identification (two if possible) of visitors and then verify it.
- Escort visitors at all times while in your work areas (even telephone technicians).
- When required in your work areas, issue appropriate guest name tags and document or log guest activities per your area’s security policy.
- Don’t volunteer unnecessary or unrelated information.
- Don’t respond to e-mails or phone calls asking you to “update information for their records” (this includes software, computer or telephone systems that we use at the County).
- When asked to complete a survey or questionnaire, ask your supervisor whether this is acceptable.
- Do not provide lists of employees or telephone numbers without proper authority.

Always notify your supervisor if someone seems suspicious or out of place.

Disposing of Information Properly

What Do I Do with Paper or Computer Media That is No Longer Needed?

Check with your manager or supervisor about the approved method for disposing of documents or any kind of information.

Some of the methods that may be used are:

- Confidential documents should be shredded. Your department may ask you to place documents in a special collection area for disposal. Ask your manager or supervisor what procedure to follow.
- When disposing of old media such as floppy diskettes, tapes and hard drives, erase all information with one of the County's certified degaussers. Use County certified software to erase hard drives that will be reused.
- When disposing of CD's, cut or break them in half before putting them in the trash.

Protecting Information in the Work Area

We become careless about the information in our work area because we have authorized access to it. It's Important to prevent access by:

- Locking sensitive documents in a cabinet or drawer
- Clearing our desk of sensitive papers at the end of the day
- Keeping keys under control (don't loan them to anyone)
- Establishing a need to know before discussing work with others
- Labeling sensitive documents appropriately
- Challenging unfamiliar / unauthorized visitors

Protecting Your Computer:

- Make sure that anyone you see using a computer in your area is authorized to do so.
- When sensitive information is on the screen, be sure no one else can see it.
- Protect your password.
- Make sure a password protected screen saver has been installed.
- Unattended or inactive computers should be 'locked' or logged off within a time no longer than 15 minutes.

Who Really Owns the Computer that I Use?

Your equipment is owned by the County. It is your responsibility to protect the equipment and software from misuse. Be mindful that loading un-authorized software, toolbars, music players and other utilities may cause your computer to slow down or stop working altogether.

Personal/Private owned Equipment

Can I use my personally owned computer at the County?

You cannot connect any personally or privately owned computer, cell phone or other portable media device directly to any portion of the County's network.

This includes but is not limited to personal computers, PDAs, Blackberrys, Cell phones, Smart phones, USB drives, etc.

With department head approval, personally/privately owned computers, cell phones or other portable media devices may be indirectly connected to the County network. Indirect connection may be through approved VPN or OWA access points only. Any connection must comply with County Information Security Policy and must be properly licensed for those systems being accessed.

Passwords

Why Should I Protect My Password?

Your password gives you access to County computer systems and it is your responsibility to protect it.

To protect your password:

- Change your password at least every 90 days.
- Change your password immediately if it becomes known to others.
- Choose "hard to guess" passwords.
- Log off after each use. Never leave an active session unattended. You are responsible for any activity on that computer.

How Do I Choose A New Password?

The whole idea of a password is to keep someone else from accessing your computer. The password you choose should be easy to remember and hard to guess.

Passwords To Avoid:

- Your name, nickname, initials
- Your children's names or nicknames
- Your user ID code
- Dates, especially those that appear on your driver's license or on a calendar you carry in your wallet or purse
- The license number of your car(s)
- Consecutive keys on a keyboard, e. g. QWERTY or FGHJKL
- Any part of your Social Security Number
- Words that appear in a dictionary.

Passwords (continued)

Here Are Some Suggestions for Choosing a Good Password:

- Combine letters and numbers such as the name and birth date of a relative or friend, e. g. LISA1055
- Take the first or last letter from each word of a phrase, e. g. EDESOEFT (wE hold thesE truthS tO bE selF evidenT) and add a number to the end "EDESOEFT1".
- Remove all vowels from a common word or words, e. g. TPSCRT (ToP SeCReT)
- Make it as long as possible
- Use a non-English word

What Are Pass-Phrases?

A pass-phrase is like a password only longer, easier to remember and harder to guess. A simple pass-phrase might be the words of your favorite song or a line from a movie. Note that spaces and special characters are allowed and included in a pass-phrase. Here are some examples of simple pass-phrases:

"Can't Touch This!" (17 character pass-phrase)

"What we've got here is failure to communicate" (45 character pass-phrase)

A stronger pass-phrase example would be to use the same words but substitute some of the characters with special characters (a-z, A-Z, 0-9, !@#\$%^&*()) which dramatically increases the time needed to crack a password e.g. "C@n't-T0uch-Thjs!"

Just a reminder, DON'T use any passwords provided above. A lot of people will be reading this handbook.

DONT SHARE YOUR PASSWORD WITH ANYONE!

Protecting County Equipment

Away From the Office

Personal computers may be stolen or damaged when they are removed from the office. The same rules apply to County equipment when using it at work or away from the office.

When removing equipment from the office, be sure to:

- Get written approval from your manager or supervisor.
- Use extra care in handling the equipment. It is very fragile.
- Use extra care to protect the equipment from loss or theft.
- Always keep it in sight when traveling.
- Lock up equipment when not in use
- Do not leave equipment in hotel rooms – check computer equipment with hotel front desk if possible
- Don't leave equipment in vehicles

Software

What Are the Rules?

Installing software, including the downloading of any software from the Internet, can only be done with the approval of your department.

This includes freeware, upgrades to existing software, shareware, demonstration software and trial/evaluation software.

No one can bring computer equipment and / or software to the County without permission from management.

Can I Make a Copy of County Owned Software to Use On My Home Computer?

When in doubt, don't copy!

Here are some guidelines for copying software:

- Some agreements between the County and software vendors may allow copying of software if the use is business related.
- Obtain your managers/supervisor's written approval before copying any software.
- Although the County may have purchased the software, what we really buy with these packages is a license to use the software on one machine.
- Unauthorized copying of software is a violation of U. S. Copyright Law. It is critical that you check the terms of the license to make sure you are not violating the agreement with the vendor.
- Misuse of software could expose you to lawsuits by the software vendor.
- If you are borrowing the original software, use great care to protect it from damage.

Wireless Devices

Can I Connect Wireless Devices to the Network?

You must have permission to connect any wireless device to a County network. Deployment of ANY wireless device or access point without permission is not allowed and is subject to disciplinary action.

Backing Up Information

“YES” you Should Backup Information.

Data and other forms of important information should be backed up. Back up information is needed when something happens to the original copy.

Remember the purpose of an extra copy is to replace the main copy if something happens to it.

Information should be backed up if:

- It would take considerable time and money to recreate it
- You could not recreate it because the original source is gone

Being prepared is part of disaster recovery.

- You may need to send an extra copy off site as a protection against an office disaster.
- Test your back-up copy to ensure it will actually restore the information.

Viruses, Trojans and Malware

How Can I Protect My Computer from Viruses?

- Make sure that you have current antivirus installed on your computer.
- Never disable the anti-virus software.
- Do not click on unknown Web links found in e-mail messages or links found on unfamiliar Web sites.
- Do not open attachments unless you are expecting information from someone. If you receive an unexpected attachment, call to verify that it is legitimate before you open it.
- Don't share diskettes, CDs or files that have not been scanned for viruses.

E-mail Hoaxes

E-mail hoaxes are seemingly credible warnings, reports or stories that sound very believable and truthful, but are un-verifiable and most often a lie. Do not forward this type of email to other staff.

Spyware

Spyware is a type of malware that is installed on computers and collects information about users without their knowledge. Sometimes, key logger spyware is installed to secretly monitor other users.

Avoiding downloads of freeware or shareware will decrease the possibility of spyware being installed on your computer.

Remember the general rule:

If it isn't County business, don't go there.

Information Security Incidents

A security incident, threat, or breach is a situation where the safety of a physical environment or its contents is endangered.

Identifying a potential security breach requires you to be aware of your surroundings, knowing what is normal and what is out of the ordinary.

Combining vigilance, common sense, and knowledge of your organizational policies should enable you to recognize possible security incidents.

Information security problems or suspected problems should be reported immediately to your supervisor.

Examples:

- Compromise of integrity (virus infects a program)
- Discovery of serious system vulnerability
- Denial of service (attacker disables a system)
- Misuse (intruder or insider makes unauthorized use of an account)
- Damage (virus destroys data)
- Intrusions (intruder penetrates system security)

If you suspect a crime is being committed, make sure that the appropriate law enforcement agency (e.g., Police) is notified. This includes email threats against personal life or safety.

The Most Valuable Asset

IT SEEMS LIKE THE COUNTY IS REALLY SERIOUS ABOUT INFORMATION

BUT, AREN'T PEOPLE IMPORTANT, TOO?

Employees are the County's most valuable asset. The security and safety of all employees is important. Familiarize yourself with County safety programs and emergency procedures.

Knowing what to do in an emergency could protect
The most valuable asset — **YOU!**

As you can see, there are a lot of things which you can do to protect information in all its forms. The suggestions in this booklet are for you to use every day to make County information and assets secure.

Any Questions?

If you are unsure about what to do:

Review the County Information Security Policies. A link to these documents is on the front page of the County Intranet web site at: <http://sichome>

If you cannot find the answer there, ask your *supervisor*, *Departmental Information Security Representative* or *County Information Security Officer* at 209-468-8426.

WHAT IS THE KEY TO INFORMATION SECURITY?



**All of us are the key to information security.
Remember to BE AWARE!**

- All computer information created using County computer resources is the property of the County
- Using a modem to connect to an external source can jeopardize the security of County information
- All access to the Internet made via County computers can be monitored by the County
- All Internet, Intranet, and electronic mail messages created, sent or retrieved over the County's network **are not private**. All such messages can be monitored and audited for content
- Transmitting, retrieving or storing any communication of a discriminatory or harassing nature is prohibited by County Policy
- Transmitting, retrieving or storing any communication or image that is abusive, profane or offensive is prohibited by County Policy

VEHICLES

County-owned automobiles shall be used only to conduct County business. No County employee shall use, or permit the use of, any County-owned automobile for any purpose other than County business.

If you have any questions regarding the material in this document, please contact your supervisor / manager.

The following sections of the Administrative Manual were referenced in the development of this document:

Data Processing Services (1500)

Telephone System (3300)

Vehicle Usage – County and Private (3700)

The Administrative Manual and Information Security policies can be referenced on the County Intranet at <http://sichome> .



This document was produced by Information Systems Division on behalf of the County Administrator.

SAN JOAQUIN COUNTY

Appropriate Use of County Resources



July 2004

It is the intent of San Joaquin County to provide its employees with tools that assist in the delivery of goods and services to the people of the County. It is the responsibility of each County employee to use these tools in an appropriate manner. To assist County employees in understanding the policies and expectations of the County, this document has been developed. This document highlights existing County policy regarding appropriate use of County resources. For greater detail, please refer to the Administrative Manual (Sections 1500, 3300 and 3700) available in each County office. Information Security policies can be referenced via a link on the County Intranet at <http://sjchome>

First and foremost, all resources provided by the County must be used only for County business. Employees shall not use, or permit to be used, any County resource for a purpose other than that necessary for County business. Each employee has an obligation to use the tools provided in a manner that is consistent with the public trust. Equipment must be used in a manner that does not jeopardize security, confidentiality, or place the County in a litigious position. Use of the equipment must not violate any law regarding privacy, public record or copyright.

An overview of the most common County resources and associated policy follows:

COMMUNICATION DEVICES

The County provides its employees with a wide variety of communication tools. These tools are provided for the sole purpose of conducting County business. Employees should be careful not to disclose confidential or proprietary County information. It is essential that these tools not be used to transmit, receive or store any communication that is discriminatory, or harassing in nature, or

that could be perceived as obscene. Communication tools provided by the County include:

TELEPHONES

Telephones are provided for the purpose of completing County business. Employees will be required to reimburse the County for unauthorized calls that result in a cost to the County.

FACSIMILE MACHINES

All communications sent or received via FAX machines must be for County business only.

VOICE MAIL

The greetings that a caller hears form their first impressions of the employee and the County. Key points to remember:

- Make sure the greeting is business-like and courteous
- Give callers instructions on how to reach a live person
- Update your voice message when you are out of the office for an extended period of time

COMPUTERS / COMPUTER TECHNOLOGY

The purpose of the County's computer technology system is to share information and improve the way service is provided to the public and its employees. As this technology provides connectivity, the actions of one person can impact the integrity and security of a network used by many. Any employee given the privilege of using San Joaquin County's computing and information resources is expected to act in a responsible manner by

complying with all policies, relevant laws, and contractual agreements related to computers, networks, software and computer information. As the County's use of the Wide Area Network (WAN) and the Intranet expands, more County employees will be using computer technology to share information, making a secure environment very important. In the future, the County Intranet will be a site where staff, with proper access rights, can obtain a wide variety of information, such as employee and benefits information.

Key issues to remember when using County computer equipment:

- The equipment is provided for the purpose of facilitating County business
- All software must be installed and used in accordance with the associated copyright provisions
- Anti-virus software must be installed and running on all computers
- Do not leave your computer on and unattended – especially in areas providing public access
- Change your password at least every 90 days

RISK MANAGEMENT FREQUENTLY ASKED QUESTION'S

1. How do I file a workers compensation claim?

- Notify your supervisor immediately of your injury/illness. Your supervisor will provide you with a "Request for Medical Treatment" to give to the doctor of your choice.
- A claim form, "Employee's Claim for Workers' Compensation Benefits", will also be provided to you. Complete the employee section of the claim form and return the form to your supervisor. The pink copy should be retained for your records.
- Your employer will forward the claim form to the Claims Administrator for processing.
- Questions concerning workers' compensation should be directed to the Risk Management Division at 468-3378.

2. How long will it take to process a workers' compensation claim?

The Workers' Compensation Administrator is required to send you a letter to advise you that your claim has been received. The Workers' Compensation Administrator has 90 days to accept, delay, or deny a claim. The Workers' Compensation Administrator will notify you of the status of your claim. If you need to contact the Workers' Compensation Administrator, call Risk Management for the telephone number.

3. How often will I be paid?

Workers' compensation benefits are paid at the direction of the Workers' Compensation Administrator. Payments are made on the same schedule as County payroll.

4. How do I report an unsafe work/health hazard?

Report all imminent safety and health hazards to your immediate supervisor.

There are two forms available to report unsafe work conditions.

1. Safety Condition Report, which is available in Human Resources, or Risk Management.
2. Employee Health & Safety Concern, which is available from Labor Relations or your Union Shop Steward.

Either form may be used to report safety hazards.

5. How do I get prescription safety glasses?

Prescription safety glasses are addressed in various bargaining units' Memoranda of Understanding. If your classification is eligible for prescription safety glasses, contact Risk Management at 468-3373.

6. How do I sign up for Defensive Driving or First-Aid CPR class?

Contact your Departmental Training Coordinator.

7. How do I get an ergonomic evaluation/work station analysis?

Submit your request for an ergonomic evaluation to your supervisor. Your supervisor will contact Risk Management for the ergonomic evaluation.

8. I have been directed to go for drug testing. Where do I go?

The County currently contracts with Dameron Hospital, 420 W. Acacia, 2nd Floor., Ste 19, Stockton, California 95202.

9. How do I file a claim against the County?

A claim form, "Claim for Damage or Injury", is available at County Risk Management or Clerk of the Board of Supervisor's. Claims must be filed with the Clerk of the Board within six-months of the date of occurrence.

10. You denied my claim against the county, what is the next step?

If you received a denial of claim, a Notice of Rejection will follow. After you have received the Notice of Rejection of Claim, you have the right to file a court action against the County. If your claim is less than \$5,000, you can file an action in Small Claims Court.

If your claim exceeds \$5,000, you may wish to file an action in Superior Court.

11. What is a Notice of Rejection of Claim?

A Notice of Rejection of claim is automatically issued to every claimant as a matter of law, 45 days after a claim is filed. After the Notice of Rejection is issued, the claimant has the prerogative to file an action against the County if the claim was not handled to the claimant's satisfaction.

12. What is the difference between a denial and a rejection of claim against the County?

A Denial of Claim is given when the adjuster feels there is no validity to a claim or when the County has defense immunities, as provided by the law.

A Notice of Rejection is automatically issued to every claimant as a matter of law, 45 days after a claim is filed.

13. What if a dispute arises between a claimant and the claims adjuster?

You may wish to discuss your dispute with Risk Management.

14. The County denied my claim, what do you think I should do?

Contact Risk Management at 468-3274.

15. How do I get a Certificate of Insurance?

All requests for Certificates of Insurance should be made through Purchasing. Contact Purchasing And Support Svcs at 468-3240.



SAFETY CONDITION REPORT

TO: _____ **DATE Submitted:** _____
Immediate Supervisor/Dept. Head

LOCATION & DESCRIPTION OF CONDITION AND/OR PROCEDURE:

(If applicable, provide your solution to the problem (if this is a report to the Department Head, please submit prior correspondence with immediate supervisor):

CONDITION DISCUSSED WITH: _____, DEPT. SUPV.

Submitted by (Optional): _____

Print Name

Signature

Dept.: _____

Ee Contact #: _____

All employees (except SEIU represented employees)

Employee shall report any health and safety concerns first to their immediate supervisor. If not satisfied with the decision, please reference your respective Memorandum of Understanding (MOU) and follow procedural steps outlined.

SEIU represented employees

Employees shall report any health and safety concerns first to their immediate supervisor. The supervisor shall have up to five business days, depending on the immediacy of the issue, to respond in writing to the employee. If the employee is not satisfied with the supervisor's response, they may appeal the matter in writing to the Department Head or his/her designee, within five business days. The Department head or his/her designee shall respond in writing within ten business days, depending on the immediacy of the issue. If not satisfied with the response, the employee may appeal, in writing, the issue to the County Safety Committee (submit this to County Human Resources/Risk Management or SEIU, Local 1021).

Action taken by department, : (if no action taken please indicate why it is not necessary or appropriate):

CONDITION CORRECTED: _____

DEPARTMENT SUPERVISOR /HEAD

DATE

SIGNED _____

Distribution:¹ COPY - Department Head
Completed form to be forwarded to Department Head
700

**SAN JOAQUIN COUNTY
HARASSMENT-FREE WORK ENVIRONMENT POLICY**

#2576

A. PURPOSE

San Joaquin County values each employee and strives to provide a nurturing environment where there is mutual respect and support. To foster such an environment, the County is committed to maintaining an environment that is free from harassment because of an employee's age, ancestry, color, creed, marital status, medical condition (cancer or genetic characteristics), national origin, physical or mental disability, political affiliation or belief, pregnancy, race, religion, sex or sexual orientation.

B. DEFINITIONS

San Joaquin County defines harassment as behavior that intimidates, threatens, degrades, torments, or places demands upon another, based upon one or more of the protected categories listed above, to the extent that the conduct unreasonably interferes with an employee's work performance or creates an intimidating, hostile, or offensive work environment.

Examples of harassment include, but are not limited to:

- Verbal conduct, such as ethnic or racial slurs, epithets, derogatory or insulting comments, taunting, heckling, unwanted sexual advances or comments, racial or sexual jokes;
- Physical conduct, such as impeding or blocking movement, gestures, unwelcome touching;
- Visual conduct, such as derogatory or sexually oriented posters, photographs, letter or other writings, emails, cartoons or drawings;
- Treating in a disparate manner; or
- Retaliating for reporting harassment.

Sexual harassment is a form of sex discrimination that is prohibited under Federal and State law. In general sexual harassment is defined as any unwanted sexual advance, request for sexual favors, and unwelcome verbal or physical conduct of a sexual nature.

The actions above will be considered sexual harassment when:

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

C. REPORTING HARASSMENT COMPLAINTS

An employee who believes he/she has been a victim of harassment is encouraged to immediately report the complaint to the appropriate supervisor, manager, Department Equal Employment Opportunity (EEO) Coordinator, department head, or to the County EEO Office. A violation of this policy will receive prompt and appropriate action.

Complaints of harassment from employees shall be processed in accordance with Civil Service Rule 20. Complaints from non-employees shall be handled by the appropriate department official. Corrective action up to, and including termination shall be taken against any individual in violation of this policy.

D. RESPONSIBILITY

Each employee of the County should be aware that the County is opposed to all forms of illegal harassment, including sexual harassment, and that such behavior is prohibited both by law and by County policy.

It is an employee's right to raise the issue of harassment, and managers and supervisors shall ensure that employees in their areas of responsibility are informed of their rights to a harassment-free work environment, and of the appropriate steps to take if they believe that these rights have been violated. Any member of County management and supervisory personnel who receives a report involving potential harassment is responsible for recording adequate information for conducting an inquiry, and making immediate contact with the appropriate Department EEO Coordinator or County EEO Office.

This policy shall be posted within the County departments and made available to employees. Information about the process for filing employment discrimination complaints under Civil Service Rule 20 can be obtained by contacting the appropriate Department EEO Coordinator, County EEO Office at (209) 468-3374, or through the EEO Web site at <http://www.sjgov.org/eeo/>.

E. RETALIATION

It is a violation of this policy to retaliate or engage in any form of reprisal because a person has raised a concern, filed a complaint of, or been a witness to harassment. Acts of retaliation are subject to appropriate corrective action, up to and including termination. However, if the County determines that an individual intentionally provided false information regarding a complaint, corrective action up to, and including termination may be taken against the person who gave the false information.

F. TRAINING

The County of San Joaquin has implemented mandatory training to all employees on organizational policies and procedures that prohibit discrimination, including sexual harassment and cultural diversity training.

**SAN JOAQUIN COUNTY
EQUAL EMPLOYMENT OPPORTUNITY POLICY**

#2575

A. PURPOSE

The County of San Joaquin maintains and promotes a policy of equal employment opportunity and is committed to maintaining a work environment that is free from discrimination. The County of San Joaquin, its managers, employees, agents, and volunteers will not discriminate against any employee, contractor, subcontractor, vendor, or client because of age, ancestry, color, creed, marital status, medical condition (cancer or genetic characteristics), national origin, physical or mental disability, political affiliation or belief, pregnancy, race, religion, sex or sexual orientation.

This policy shall apply to all employment actions including, but not limited to: recruitment, testing, hiring, training opportunities, promotion, demotion, transfer, layoff, discipline, termination, salary and benefits, and participation or appointment to all County boards and commissions. All employment decisions shall be made on the basis of individual qualifications, bona fide occupational qualifications for the job in question, and the feasibility of any necessary job accommodations.

The employment goal of San Joaquin County is to develop an employee population that is representative of the general population of San Joaquin County. To this end, San Joaquin County will encourage members of protected groups, including ethnic minorities, females, and persons with disabilities, to apply for employment. The County will take positive measures toward eliminating artificial barriers to employment and achieving equal opportunity through its continued implementation and coordination of the County's Equal Employment Opportunity (EEO) Plan, and through its review and evaluation of hiring and promotional policies and procedures.

B. REPORTING DISCRIMINATION COMPLAINTS

An employee, job applicant, contractor, vendor, or client who believes he/she has been discriminated against, as defined in Section A above, is encouraged to immediately report the complaint to the appropriate supervisor, manager, Department EEO Coordinator, department head, or to the County EEO Office. A violation of this policy will receive prompt and appropriate action.

Complaints of discrimination from employees and job applicants shall be processed in accordance with Civil Service Rule 20. Complaints from non-employees shall be handled by the appropriate department official. Corrective action up to, and including termination shall be taken against any individual in violation of this policy.

C. RESPONSIBILITY

County department heads, managers, and supervisory personnel are responsible for implementing this policy within their areas of responsibility. Any member of County management and supervisory personnel who receive a report involving potential discrimination is responsible for recording adequate information for conducting an inquiry, and making immediate contact with the appropriate Department EEO Coordinator or County EEO Office.

This policy shall be posted within the County departments and made available to employees. Information about the process for filing employment discrimination complaints under Civil Service Rule 20 can be obtained by contacting the appropriate Department EEO Coordinator, County EEO Office at (209) 468-3374, or through the EEO Web site at <http://www.sjgov.org/eeo/>.

D. RETALIATION

It is a violation of this policy to retaliate or engage in any form of reprisal because a person has raised a concern, filed a complaint of, or been a witness to discrimination. Acts of retaliation are subject to appropriate corrective action, up to and including termination. However, if the County determines that an individual intentionally provided false information regarding a complaint, corrective action up to, and including termination may be taken against the person who gave the false information.

E. TRAINING

The County of San Joaquin has implemented mandatory training to all employees on organizational policies and procedures that prohibit discrimination, including sexual harassment and cultural diversity training.

RULE 20. DISCRIMINATION PROHIBITED

Section 1. General Provisions

No employee of the County or any job applicant seeking employment with the County shall be discriminated against in any aspect of employment because of age, ancestry, color, creed, gender, gender expression, gender identity, genetic information, marital status, medical condition (cancer or genetic characteristics), national origin, physical or mental disability, political affiliation or belief, pregnancy, race, religion, sex, or sexual orientation.

Section 2. Discrimination Complaints

These procedures are intended to provide a method for resolution of complaints alleging discrimination on one or more of the basis cited in Section 1 of this Rule. Complaints that are not based on the types of prohibited discrimination cited in Section 1 shall not be processed under this Rule.

Section 3. Informal Complaint Process

The intent of the informal complaint process is to provide for early intervention and resolution of discrimination complaints in an informal manner or through a mediation process at the departmental level.

Prior to the filing of a formal complaint, an employee alleging discrimination in violation of this Rule shall report the discrimination to the Department EEO Coordinator (Coordinator). Complaints must be reported within sixty (60) days of the date the alleged discrimination occurred. A job applicant alleging discrimination under this Rule shall report the discrimination to the County Equal Employment Opportunity Office (EEO Office) within sixty (60) days of the date the alleged discrimination occurred.

The Coordinator will meet with the person making the complaint within ten (10) days of receipt of the report in order to:

- (a) Understand the nature of the complaint;
- (b) Undertake efforts to informally resolve the complaint;
- (c) Identify the Complainant's requested remedy; and
- (d) Give the Complainant a copy of Civil Service Rule 20.

The Coordinator shall notify the EEO Office of the complaint within five (5) days of the initial meeting with the Complainant.

The Coordinator will make reasonable efforts to resolve the complaint if the complaint appears to have merit. When mutually agreed to by both the Complainant and the Appointing Authority of the affected department, the Coordinator may seek the assistance of a mediator

RULE 20, Section 3 (continued)

available through the San Joaquin County Mediation Center to help resolve the complaint. The Coordinator shall provide written notice to the Appointing Authority indicating whether the complaint was resolved or the specific actions recommended by the Coordinator and/or Complainant to resolve the complaint. Within ten (10) days of the receipt of the written notice, the Appointing Authority will make the departmental decision regarding any actions requested by the Coordinator and/or Complainant that are within the Appointing Authority's authority.

Within three (3) days of receipt of the Appointing Authority's departmental decision, the Coordinator shall provide written notice to the Complainant and Respondent of the results of the informal complaint process. The written notice to the Complainant shall also inform the Complainant of his or her right to file a formal written complaint if he or she is not satisfied with the results of the informal process. The Coordinator shall also notify the EEO Office in writing within three (3) days of the conclusion of the informal complaint process of the results and provide all documentation received during the course of the informal complaint process.

Unless otherwise agreed to by the Complainant and the Coordinator to extend the timeframe, the informal complaint process shall be concluded within thirty (30) days of the Coordinator's initial meeting with the Complainant.

In the case of a complaint from a job applicant, the EEO Office shall process the complaint in the manner set forth in Section 4.

Section 4. Formal Complaint Process

If a discrimination complaint is not resolved through the informal complaint process, or if the Complainant is not satisfied with the results of the informal complaint process, the Complainant may file a formal written complaint with the EEO Office within fifteen (15) days of notice of the results of the informal complaint process.

A formal complaint of discrimination shall be in writing and should be filed on the County's Discrimination Complaint form. The Complainant shall describe in detail the alleged discrimination and the action the Complainant requests to resolve the matter. The complaint must be signed and dated and shall contain at least the name(s) of the individual(s) involved, the approximate date(s) of the event(s) at issue, the names of any witnesses to the alleged discrimination, the Complainant's requested remedy, and a description of the action(s) constituting the alleged discrimination.

An investigation will be initiated if the complaint meets the following requirements:

- The complainant alleges discrimination prohibited under Section 1 of this Rule and provides enough detailed information to determine the events constituting the discrimination.
- The complaint is filed within fifteen (15) days of the conclusion of the informal complaint process as set forth in Section 3 of this Rule.

RULE 20, Section 4 (continued)

Defective complaints shall be returned within five (5) days of receipt by the EEO Office with an explanation of why an investigation was not initiated under this Rule. If a complaint is returned because of lack of detail, the Complainant will be advised that he or she may submit an amended complaint within ten (10) days of receipt providing enough detail to determine the events constituting the discrimination.

Within fifteen (15) days of receipt of a complaint filed in accordance with this Rule, the EEO Office or designee will meet with the Complainant to review the complaint and shall notify the Respondent and Appointing Authority that a written complaint has been received and a formal investigation has begun. The investigation will be conducted in a confidential manner. If the circumstances of the situation call for such action, the Investigator will consult with the Appointing Authority regarding reasonable steps that should be taken to protect the Complainant from discrimination or retaliation during the course of the investigation.

Within sixty (60) days from the date of the initial meeting with the Complainant, or unless there is mutual agreement between the Complainant and the EEO Office to extend the timeframe of the investigation, the Investigator shall complete the investigation and shall provide a written summary of the investigation to the Complainant and Respondent. The summary will indicate whether the alleged violation of this Rule is substantiated or is unsubstantiated.

The EEO Office shall submit a post-investigation report to the Appointing Authority within the 60-day timeframe stated above. The report shall indicate whether the alleged violation of this Rule is substantiated or is unsubstantiated. If the complaint is substantiated, the EEO Office may include in the report advisory recommendations to the Appointing Authority that are designed to deter further violation of this Rule. The EEO Office will also recommend remedial or restorative action(s) that are in conformity with these Civil Service Rules, the County's Memoranda of Understanding, work rules, policies and practices.

Within ten (10) days of receipt of a post-investigation report substantiating a violation of this Rule, the Appointing Authority shall respond in writing to the EEO Office and indicate as follows:

1. Whether the Appointing Authority agrees or disagrees with the conclusion of the Investigator that the violation of this Rule has been substantiated. If the Appointing Authority disagrees with the conclusion that this Rule has been violated, he or she shall include an explanation of the reason(s) for disagreement.
2. In addition, as to each advisory recommendation, the Appointing Authority shall report one of the following actions:
 - a) That the recommendation has been implemented, with a summary of the implemented action.

RULE 20, Section 4 (continued)

- b) That the recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
- c) That the recommendation will not be implemented, with an explanation therefore, but that alternative action(s) will be taken which is designed to deter further violations of the Rule, and is in conformity with these Civil Service Rules, the County's Memoranda of Understanding, work rules, policies and practices.
- d) That the recommendation will not be implemented, with an explanation therefore.

Within five (5) days of receipt of the Appointing Authority's response, the EEO Office shall provide written notice of the Appointing Authority's decision to the Complainant and shall inform the Complainant of his or her right to file an appeal before the Civil Service Commission.

Section 5. Appeal Hearing Process

If, at the conclusion of the formal complaint process set forth in Section 4 above, the EEO Office concludes (1) that the allegation of discrimination under this Rule has not been substantiated, or (2) concludes that a violation has been substantiated; however, the Appointing Authority disagrees with that conclusion and indicates that he or she will not take any or all remedial or restorative action, a Complainant shall have the right to submit a written request for an appeal before the Civil Service Commission (Commission) within fifteen (15) days of receipt of the written notification from the EEO Office of the Appointing Authority's decision.

The written appeal request shall be filed on the Commission's Request for Appeal form and shall contain the facts and circumstances of the alleged discrimination and the remedy requested by the Complainant.

The Commission may hold a hearing on the appeal. The Complainant shall be notified of the date and time of the hearing or of the Commission's decision not to hear the appeal.

The Complainant may appear personally, produce evidence, and have counsel and a public hearing. The hearing shall be informal and the Commission shall not be bound by any of the rules of evidence governing trial procedure in State Courts; provided, however, that insofar as determined practicable by the Commission, the hearing shall be conducted in accordance with the provisions of Section 11513 of the Government Code, except that the Complainant may be examined and may examine and cause any person to be examined under Section 776 of the Evidence Code. Within thirty (30) days following the completion of the hearing, the Commission shall issue a written decision that the alleged act(s) did or did not constitute discrimination prohibited under this Rule and shall provide written notice to the Complainant, Respondent, Appointing Authority, and EEO Office of its decision.

If the decision of the Commission is that the alleged act(s) constitute discrimination under this Rule, the Commission shall issue an order requiring the person who has committed the

RULE 20, Section 5 (continued)

discrimination to cease and desist from such action in the future. Failure to cease and desist may constitute grounds for disciplinary action under Civil Service Rule 18. The Commission may also order appropriate remedial or restorative action(s) that is in conformity with these Rules, the County's Memoranda of Understanding, work rules, policies and practices. The Appointing Authority shall have ten (10) days from the receipt of the Commission's decision to implement said appropriate remedial or restorative action(s). The Appointing Authority shall notify the EEO Office, the Complainant and Respondent within three (3) days of the implementation of the action taken as outlined in the Commission's order.

Section 6. Retaliation Prohibited

Retaliation against an employee or job applicant for reporting an allegation of discrimination under this Rule, or against an employee for their support of such an employee or job applicant, is prohibited. However, intentionally making a false report or complaint under this Rule, or intentionally giving false statements or testimony in support thereof, may constitute grounds for disciplinary action under Rule 18 of these Civil Service Rules.

Section 7. Definitions

1. **Appeal:** A request by a Complainant made in writing to the Civil Service Commission to review the administrative determination regarding a complaint of discrimination.
2. **Complainant:** An individual who believe that he or she has been victim of discrimination.
3. **Days:** Calendar days, unless otherwise specified.
4. **Respondent:** An individual against whom a claim of discrimination is made.

Take Charge!

You Are Empowered

Proactive Steps to Address Inappropriate Work Place Conduct and Behavior

(E.g., Harassment or Sexual Harassment)

- If comfortable, confront (in a business-like and firm manner) the offending party and clearly communicate that the offending party's communication, conduct, behavior, or action is inappropriate and must *immediately stop*.
 - Sometimes the party exhibiting inappropriate or offensive behavior *may not realize* that you find the conduct or behavior unacceptable.

therefore:

- Using notes, *cite specific dates and examples* of the inappropriate or offensive communication, conduct, behavior, or action and such conduct or behavior must immediately stop.
- Immediately report the inappropriate conduct behavior to at least one of the following:
 - Supervisor
 - Manager
 - Department Head
 - Department Equal Employment Opportunity Coordinator
 - Any member of management

Provide specifics:

- What happened?
- Who did it?
- When did it happen?
- Where did it happen?
- What did you do?
- Who saw this happen?
- Provide evidence (e.g., documents, pictures, witnesses, etc.)

Remember Incidents that may occur in the work place are generally resolvable if appropriately and promptly addressed. Appropriate and prompt intervention and reporting often results in resolution. Appropriate and prompt invention and reporting also helps to minimize the possibility of an incident becoming greater in proportion and more of a concern.

What Are The Consequences Of Retaliation?

Retaliation against an employee or job applicant for reporting an allegation of sexual harassment or for participating in the Civil Service Rule 20 process, even if he/she is just a witness, is prohibited and corrective action up to, and including termination, shall be taken against any individual in violation of the County's policies.

Is There An External Complaint Process?

An employee may report the conduct to an external governmental agency, such as the California Department of Fair Employment and Housing (DFEH) (800) 884-1684, or the Equal Employment Opportunity Commission (EEOC) (800) 669-4000, at any time before, during or after use of the Civil Service Rule 20 process.

The following information can be obtained through the County EEO Office Web site at: <http://www.sjgov.org/eeo/>, or by contacting the County EEO Office at (209) 468-3374:

- County Harassment-Free Work Environment Policy
- County Equal Employment Opportunity (EEO) Policy
- County Civil Service Rule 20
- County Discrimination Complaint Form
- Civil Service Commission Request For Appeal Form
- Listing of County Department EEO Coordinators

**SAN
JOAQUIN
COUNTY**



San Joaquin County
Equal Employment Opportunity Office
44 North San Joaquin Street, Suite 330
Stockton, CA 95202
(209) 468-3374



**SEXUAL
HARASSMENT
IN THE
WORKPLACE**

What Is Sexual Harassment?

Sexual harassment is a form of sex discrimination that is prohibited under Title VII of the Civil Rights Act of 1964, California Fair Employment and Housing Act, and San Joaquin County Equal Employment Opportunity (EEO) Policies. In general, any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment.

Federal and state laws prohibit two generally recognized forms of sexual harassment: **quid pro quo** and **hostile environment**.

“Quid pro quo” is a Latin phrase meaning, “this for that.” Typically it occurs when a person in a position of power pressures another person to meet his or her sexual demands in exchange for receiving a term or condition of employment, such as a promotion, transfer, or the job itself.

“Hostile environment” sexual harassment entails unwelcome sexual conduct that unreasonably interferes with an employee's work performance or creates an intimidating, hostile, or offensive work environment. One episode of such behavior, although offensive, would not likely constitute unlawful sexual harassment; however, when the behavior occurs so frequently that it is pervasive, a hostile environment may exist.

Examples of sexual harassment include, but are not limited to:

- Verbal conduct such as sexual advances or propositions, vulgar or obscene language, epithets, derogatory or insulting comments, taunting, heckling, unwanted sexual comments or sexual jokes, graphic verbal

comments about an individual's body, sexually degrading words used to describe an individual;

- Physical conduct such as impeding or blocking movement, unwelcome touching of a sexual nature;
- Visual conduct such as leering, making sexual gestures, displaying of sexually suggestive objects or pictures, derogatory or sexually oriented posters, photographs, letter or other writings, emails, cartoons or drawings.

What Are The Responsibilities Of Employees And The County?

An employee who believes he/she has been a victim of sexual harassment is strongly encouraged to immediately report the conduct to the appropriate supervisor, manager, Department EEO Coordinator, Department Head, or to the County EEO Office.

It is an employee's right to raise the issue of sexual harassment. Managers and supervisors shall ensure that employees in their areas of responsibility are informed of their rights to a harassment-free work environment, and of the appropriate steps to take if they believe that these rights have been violated. Any member of County management or supervisory personnel who receive a report involving potential sexual harassment is responsible for recording adequate information for conducting an inquiry, and making immediate contact with the appropriate Department EEO Coordinator or County EEO Office. Complaints of sexual harassment from employees shall be processed in accordance with Civil Service Rule 20.

What Is The County's Internal Complaint Process?

The County's internal process for resolving and investigating complaints of sexual harassment is outlined in Civil Service Rule 20. Civil Service Rule 20 is a 3-step process: Informal Complaint, Formal Complaint, and Appeal Hearing Process.

In order to file a complaint of sexual harassment, an employee must report the conduct to the appropriate Department EEO Coordinator within 60 days of the occurrence. Job applicants report complaints directly to the County EEO Office within 60 days of the occurrence. The Department EEO Coordinator who receives a complaint of sexual harassment will undertake efforts to informally resolve the complaint.

If a sexual harassment complaint is not resolved through the informal complaint process, or if the Complainant is not satisfied with the results of the informal complaint process, the Complainant may proceed to **Step 2** by filing a formal written complaint with the County EEO Office within 15 days of notice of the results of the informal complaint process. A formal complaint shall be in writing and should be filed on the County's Discrimination Complaint Form. This form is available through a Department EEO Coordinator or from the County EEO Office.

Under certain conditions, if a sexual harassment complaint is not resolved through the formal complaint process, the Complainant may proceed to **Step 3**, by filing a request for an appeal with the Civil Service Commission who may hold a hearing on the appeal.

What Does The County Do To Prevent Sexual Harassment?

It is important that all employees are made aware of what sexual harassment is, and the implications of engaging in such behavior. This is done through mandatory attendance at a County-sponsored sexual harassment workshop and by becoming familiar with the County's Harassment-Free Work Environment Policy and Civil Service Rule 20.

Retirement Plan Summary

An Overview of Your SJCERA Benefits



SJCERA Membership

The San Joaquin County Employees' Retirement Association (SJCERA) provides retirement, disability, and death benefits to employees of SJCERA-participating employers. You become a SJCERA member upon appointment to a full-time, permanent position. Employees who are first hired at age 60 or older may opt out of membership.

You are a Tier 2 member if you first entered membership in a California Public Retirement System on or after January 1, 2013. You are a Tier 1 member if you entered membership in a California Public Retirement System before that date.

Benefit Summary

As a member, both you and your employer contribute to your SJCERA retirement. Your SJCERA retirement is a defined benefit plan ("pension"), that provides a lifetime retirement benefit based on your age at retirement, years of service credit and compensation ("Final Average Compensation" or FAC).

Age at Retirement

Your age at retirement is represented by an age factor—a percentage—that varies with age. Your age factor is based on the age you are on the first day you are retired (to the nearest completed quarter year).

Service Credit

Service credit measures the time earned as a SJCERA member and is one of the three factors used to determine your retirement benefit. Typically, the more years of service credit you have, the greater your monthly retirement benefit will be. When you are working in a full-time permanent position, you earn service credit and pay contributions on your "normal working hours." You do not earn service credit or pay contributions for overtime hours.

Final Average Compensation

When you retire, SJCERA uses your highest final average compensation (FAC) to calculate your retirement benefit. For Tier 2 members, SJCERA calculates your FAC based on the highest three years (78 consecutive pay periods) of eligible earnings; for Tier 1 members, SJCERA uses your highest one year (26 consecutive pay periods) of eligible earnings. For most members, the FAC is represented by their last year(s) of service because most members earn their highest rate at the end of their career.

Compensation and Benefit Limits

The law limits the amount of compensation that can be used to calculate your benefit and the maximum benefit you can receive. You will not pay SJCERA contributions on compensation in excess of the compensation limit. The limits change annually. Visit the Active Members/Defined Benefit Plan page on www.sjcera.org for more information. The 2023 limits are listed for reference.

2023 Compensation Limit: Tier 2 with Social Security: \$146,042; Tier 2 without Social Security \$175,250; Tier 1: \$330,000

2023 Benefit Limit: \$265,000

SJCERA-Participating Employers

- County of San Joaquin
- Lathrop-Manteca Fire District
- Mountain House Community Services District
- San Joaquin County (SJC) Law Library
- SJC Historical Society and Museum
- SJC Mosquito and Vector Control District
- SJC Superior Court
- Tracy Public Cemetery
- Waterloo-Morada Fire District

Estimate Your Benefit Online



To estimate your retirement benefit at different ages, visit www.sjcera.org and use the online Retirement Benefit Calculator.

Use SJCERA's online calculator to estimate your benefit. In the example shown, the member plans to work 30 years, until age 67 (their full Social Security age) and estimates their average monthly compensation will be \$6,000. At 67, the Tier 2 age factor is 2.5% or 0.025.

$$\frac{2.5\%}{\text{Age Factor}} \times \frac{30}{\text{Service Credit Yrs.}} \times \frac{\$6,000}{\text{Monthly FAC}} = \frac{\$4,500}{\text{Monthly Benefit}}$$

Additionally, the annual cost-of-living adjustment (COLA) may increase your benefit by up to 3 percent each year.

Retirement Plan Summary

An Overview of Your SJCERA Benefits

Reciprocity

If you previously worked in a position covered by another California Retirement System, and you are a member of SJCERA, you may be eligible for reciprocity. Reciprocity allows you to move from one public employer to another within six months and retain valuable rights and benefits. When you retire, your SJCERA retirement benefit will be based on your highest FAC earned in any linked reciprocal retirement system. If your reciprocal service was before January 1, 2013, you will become a Tier 1 member.

Service Credit Purchase

You may be able to increase your SJCERA retirement benefit by purchasing service credit. There are five types of service purchase available: Medical Leave of Absence; Previous San Joaquin County Service; Redeposit of withdrawn SJCERA contributions; Interruptive Military Service; and Prior Public Agency Service (which includes military service prior to your SJCERA membership). Read the [Service Credit Purchase](#) fact sheet on www.sjcera.org to learn more.

Disability Benefits

If you have a substantial illness or injury that permanently prevents you from performing the normal and usual duties of your job, you, or your employer, may apply for a disability retirement. There are two types of disability retirement benefits: service-connected (the incapacity is the result of your employment) and nonservice-connected (your incapacity is not related to your employment). Read the [Disability Retirement](#) and [Disability Retirement Process](#) fact sheets to learn more.

Termination

When you terminate employment with your SJCERA-covered employer, you have three options:

- **Retire.** You may retire (begin receiving your monthly SJCERA benefit) if you meet the retirement eligibility requirements of your membership type and tier. Submit a completed [Retirement Application Request](#) form to start the process.
- **Defer Your Retirement.** You may leave your contributions on deposit with SJCERA and retire at a later date. If you are not yet eligible to retire, deferring retirement allows you to apply for retirement once you meet the retirement eligibility requirements of your membership type and tier.
- **Refund Your Contributions.** You may receive a one-time lump-sum refund of your member contributions and any interest that has accrued. The contributions your employer made and any associated interest, stay with SJCERA; they cannot be refunded. If you refund your contributions, your SJCERA membership is canceled, you forfeit your rights to any future SJCERA benefits, and you lose any previously-established reciprocity between SJCERA and other California public retirement systems.

This fact sheet is intended to provide you with information as simply and accurately as possible. The law governing applications for disability retirement allowance is complex. If a conflict arises between the applicable law and any statement in this fact sheet, the law will govern.

To request this material in an alternative format, call (209) 468-2163, or TTY 711.

Retirement Eligibility

You must meet the age and service requirements of your membership type (General or Safety) and Tier to be eligible to retire.

General Members	
Tier 2	<ul style="list-style-type: none">• Age 52+ with 5+ years of service credit• Age 70+ with any service credit
Tier 1	<ul style="list-style-type: none">• Age 50+ with 5+ years of service credit and 10+ years of membership• Any age with 30+ years of service credit• Age 70+ with any service credit

Safety Members	
Tier 2	<ul style="list-style-type: none">• Age 50+ with 5+ years of service credit• Age 70+ with any service credit
Tier 1	<ul style="list-style-type: none">• Age 50+ with 5+ years of service credit and 10+ years of membership• Any age with 20+ years of service credit• Age 70+ with any service credit

Maximum Retirement Benefit Formulas

	General	Safety
Tier 2	2.5% at age 67	2.7% at age 57
Tier 1	2.61% at age 62	3% at age 50

2026 San Joaquin County Pay and Holiday Schedule

January						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

February						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

March						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

April						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

May						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

June						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

July						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

August						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

September						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

October						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

November						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

December						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

PP	Start	End	Pay Date
1	12/15/2025	12/28/2025	01/09/2026
2	12/29/2025	01/11/2026	01/23/2026
3	01/12/2026	01/25/2026	02/06/2026
4	01/26/2026	02/08/2026	02/20/2026
5	02/09/2026	02/22/2026	03/06/2026
6	02/23/2026	03/08/2026	03/20/2026
7	03/09/2026	03/22/2026	04/03/2026
8	03/23/2026	04/05/2026	04/17/2026
9	04/06/2026	04/19/2026	05/01/2026
10	04/20/2026	05/03/2026	05/15/2026
11	05/04/2026	05/17/2026	05/29/2026
12	05/18/2026	05/31/2026	06/12/2026
13	06/01/2026	06/14/2026	06/26/2026
14	06/15/2026	06/28/2026	07/10/2026
15	06/29/2026	07/12/2026	07/24/2026
16	07/13/2026	07/26/2026	08/07/2026
17	07/27/2026	08/09/2026	08/21/2026
18	08/10/2026	08/23/2026	09/04/2026
19	08/24/2026	09/06/2026	09/18/2026
20	09/07/2026	09/20/2026	10/02/2026
21	09/21/2026	10/04/2026	10/16/2026
22	10/05/2026	10/18/2026	10/30/2026
23	10/19/2026	11/01/2026	11/13/2026
24	11/02/2026	11/15/2026	11/25/2026
25	11/16/2026	11/29/2026	12/11/2026
26	11/30/2026	12/13/2026	12/24/2026
1	12/14/2026	12/27/2026	01/08/2027

Date of Holiday	Description
Jan 1	New Year's Day
Jan 19	Martin Luther King's Birthday
Feb 12	Lincoln's Birthday
Feb 16	Washington's Birthday
Mar 31	Cesar Chavez Day**
May 25	Memorial Day
Jun 14	Independence Day
Oct 12	Columbus Day
Nov 11	Veterans Day
Nov 26 & 27	Thanksgiving & Day After
Dec 25 & Jan 1	Christmas Day & New Year's

 Pay Period Start Date
 Paydays
 Holidays
*See MOU section 3.4.1.1 for eligibility
 Floating Holidays
** Floating Holidays = eligible for either Cesar Chavez Day or Admission Day, not both as per MOU section 3.4.3

SAN JOAQUIN COUNTY
Greatness grows here.
Human Resources Division



For Your Benefit:

**California's
Programs for the
Unemployed**

**Unemployment Insurance
Disability Insurance
Paid Family Leave
Workforce Services**

For Your Benefit: California's Programs for the Unemployed

This publication provides information about programs offered by the Employment Development Department (EDD) for unemployed Californians. This is for general information only and it is not a legal document.

For more information, visit [our website](http://edd.ca.gov) (edd.ca.gov).

Unemployment Insurance (UI)	2
Unemployment benefits provide partial wage replacement to workers who have lost their job and meet the program's eligibility requirements each week they certify for benefits.	
State Disability Insurance (SDI)	14
Disability Insurance (DI) is part of SDI and provides partial wage replacement benefits to workers who are unable to work due to a non-work-related illness or injury, pregnancy, or childbirth.	
Paid Family Leave (PFL)	15
PFL is part of SDI and provides partial wage replacement benefits to workers who need time off to care for a seriously ill family member, bond with a new child, or to help a family member during a qualifying military event.	
Workforce Services	15
The Workforce Services Branch offers a range of employment services for job seekers and employers.	
How to Get Help	20

Unemployment Insurance

Unemployment benefits are paid for by your employer and provide temporary income when you are unemployed and meet all eligibility requirements.

Who Should File a UI Claim

You may apply for unemployment if you are out of work or your hours have been reduced.

To be eligible for benefits, you must have earned enough wages during the base period to set up a claim, and be:

- Totally or partially unemployed.
- Unemployed through no fault of your own.
- Physically able to work.
- Available for work.
- Ready and willing to accept work immediately.
- Actively looking for work.

When to Apply

You may apply for benefits as soon as you are unemployed, or your work hours are reduced. Your claim will begin on the Sunday of the week in which you apply for benefits.

All claims have a one-week, unpaid, waiting period. The waiting period does not begin until you apply for unemployment, certify for benefits, and meet all eligibility requirements.

What You Need to Apply

To apply, we need your:

- Name, (including all names you used while working) and Social Security number.
- Mailing and residence address (if different) and phone number.
- Last employer's complete name, address (mailing and physical location), and phone number.
- Last day worked and the reason you're no longer working (laid off, quit, fired, or left work because of a trade dispute).
- Work history during the 18 months prior to applying your claim, including out-of-state employment. Include all employers' names, dates employed, and wages earned.
- State-issued driver license number or identification card number.
- Citizenship status and if you have the legal right to work in the United States. If you indicate you're registered with the United States Citizenship and Immigration Services (USCIS, formerly Immigration and Naturalization Services) and authorized to work in the United States, you will be asked for the title of your employment authorization document and information from the USCIS document, such as the Alien Registration Number, card number, and expiration date.

Note: Your previous employers' names and addresses are very important, regardless of how long you worked for the employer(s). If you worked part-time, provide the number of hours you worked each week.

If you served in the military in the last 18 months, you will need to provide information from your **D214 Member Copy 4**.

If you worked for the federal government during the last 18 months, provide information from your *Notice to Federal Employees About Unemployment Insurance, Standard Form 8*.

Important

Making a false statement or withholding information to receive benefits can be a felony. Penalties may include fines, loss of benefits, and criminal prosecution. See more information on fraud and penalties on page 13.

ID.me

ID.me is an identity proofing and authentication platform used by government agencies. This is a faster and easier way to verify your identity and process your claim.

- Create an **ID.me** account and follow the prompts.
- You will need a mobile device, tablet, or a computer to take and send a photo.
- Allow ID.me to transfer your information to us.
- Having trouble connecting? Connect with a live video agent from 4:30 a.m. to 9 p.m. (Pacific Time), through your ID.me account and send a request for help at **help.id.me** within ID.me.

Employer Notification

Your last employer is notified when you apply for unemployment. Although we determine your eligibility, employers fund the UI program and are required by law to provide any information that may affect your eligibility to receive benefits.

Types of Claims

Your application depends on the type of employer you worked for and the states where you worked.

Your application will be filed as a:

- Regular California claim if you only worked in California, even if you now live outside of California.
- Federal claim if your employment was in civilian work for the federal government.
- Military claim if you served as a member of the United States Armed Forces.
- Combined wage claim if you earned wages in California and in at least one other state during the last 18 months.

- Interstate claim application if you now live in California and only worked in another state during the last 18 months. Apply for unemployment directly with the other state, the District of Columbia, Puerto Rico, or Canada. If you worked in the US Virgin Islands, contact us at 1-800-300-5616.

How to Apply

You may apply for unemployment using one of the following methods:

- **Online**

UI OnlineSM is the fastest and most convenient way to apply for unemployment. Visit UI Online (edd.ca.gov/UI_Online) to get started.

- **Phone**

Speak to an EDD representative Monday through Friday between 8 a.m. and 5 p.m. (Pacific Time), except on state holidays. Refer to page 20 for a list of unemployment phone numbers.

- **Fax or Mail**

When applying for benefits with UI Online, some customers will be instructed to fax or mail their application to us. If this occurs, the paper *Unemployment Insurance Application* (DE 1101I) will display for you to complete and send.

- For faster and more secure processing, fax the completed form to the number listed on the form. If mailing your unemployment application, use the address on the form and allow more time for processing.

Beginning Date of Claim

Your claim begins on the Sunday of the week in which you apply for benefits.

Ending Date of Claim

Your claim ends on the Saturday, 52 weeks after your claim begins. If you exhaust your benefits prior to this date, you cannot apply for another California claim until the benefit year of the claim ends.

If you worked in another state during the last 18 months, you may be eligible to apply for a new claim in that state.

Minimum Earnings to Establish a Valid Claim

You must have at least \$1,300 in earnings in one quarter of your base period or at least \$900 in earnings in the highest quarter and 1.25 times your highest quarter earnings in your total base period.

For example: If you have \$900 earnings in your highest quarter, you would also need to have earned a total of \$1,125 in the base period ($\$900 \times 1.25 = \$1,125$).

How Unemployment Benefits are Calculated

The quarter in which you were paid the highest wages during the base period determines your weekly benefit amount (WBA). The WBA ranges from \$40 to \$450 per week.

The maximum benefit amount is 26 times the weekly benefit amount or one-half of the total base period wages, whichever is less.

Refer to the **Unemployment Insurance Benefit Table** on page 17 to estimate your WBA.

Base Period

There are two types of base periods used to set up a claim: the standard base period and the alternate base period.

Standard Base Period

The Standard Base Period (SBP) is the first four of the last five completed calendar quarters prior to the beginning date of the claim.

Refer to the chart below. The shaded area is the standard base period. The non-shaded area is the quarter the claim is filed.

OCT NOV DEC	JAN FEB MAR	APR MAY JUNE	JULY AUG SEPT		JAN FEB MAR	APR MAY JUNE	APR MAY JUNE	JULY AUG SEPT	OCT NOV DEC
	JAN FEB MAR	APR MAY JUNE	JULY AUG SEPT	OCT NOV DEC			APR MAY JUNE	JULY AUG SEPT	
		APR MAY JUNE	JULY AUG SEPT	OCT NOV DEC	JAN FEB MAR			JULY AUG SEPT	
			JULY AUG SEPT	OCT NOV DEC	JAN FEB MAR	APR MAY JUNE			OCT NOV DEC

If your claim begins in:

Alternate Base Period

If you do not have sufficient wages in the standard base period, you may qualify to file a claim using the Alternate Base Period (ABP).

The ABP is the last four completed calendar quarters prior to the beginning date of the claim.

We will automatically file an ABP claim on your behalf if you're not eligible for a SBP claim.

You may be asked to give more wage information so we can correctly calculate your benefit amount. If you receive an Affidavit of Wages (DE 23A), gather the requested documents and return them to us.

Note: The ABP can only be used when there are not enough wages earned in the standard base period to set up a claim.

Refer to the chart below. The shaded area is the ABP. The non-shaded area is the quarter the claim is filed.

JAN FEB MAR	APR MAY JUNE	JULY AUG SEPT	OCT NOV DEC	JAN FEB MAR				←	If your claim begins in:
	APR MAY JUNE	JULY AUG SEPT	OCT NOV DEC	JAN FEB MAR	APR MAY JUNE	APR MAY JUNE	JULY AUG SEPT	↓	
		JULY AUG SEPT	OCT NOV DEC	JAN FEB MAR	APR MAY JUNE	APR MAY JUNE	JULY AUG SEPT	↓	
			OCT NOV DEC	JAN FEB MAR	APR MAY JUNE	APR MAY JUNE	JULY AUG SEPT	OCT NOV DEC	

Waiting Period

Unemployment claims have a mandatory, one-week, unpaid, waiting period. This waiting period generally takes effect on the first eligible week of a claim and prior to benefits being paid. Do not wait to apply because the waiting period cannot be served until a claim has been filed.

How to Certify for Benefits

To serve your waiting period and receive benefit payments, you must meet all eligibility requirements and certify for benefits every two weeks.

There are three ways to certify for benefits:

- **UI Online:** (edd.ca.gov/UI_Online) This is the fastest way to certify for benefits and report work and wages. To use UI Online, you must create an account through myEDD and complete a one-time registration for UI Online.
- **EDD Tele-CertSM:** 1-866-333-4606
Certify over the phone by calling 1-866-333-4606. Select **option 2** and follow all instructions. To access EDD Tele-Cert you must create a PIN.
- **Mail:** Complete, sign, and mail the *Continued Claim* (DE 4581) form to us.

Note: For faster processing, certify through UI Online or EDD Tele-Cert.

Payments

Payments are issued after you certify for benefits and continue to meet all eligibility requirements for every week you claim benefits.

You have an option in how you receive your benefit payments. We issue benefit payments through a prepaid debit card or by check. The debit card is the fastest and most secure way to receive your benefits. However, you do not have to accept the debit card. Once your claim is filed, contact us if you wish to receive your benefits by paper check.

The debit card is valid for three years and used for disability, Paid Family Leave (PFL), and unemployment benefits.

If you were previously issued a debit card for prior unemployment, disability, or PFL benefits and need a replacement card, you must contact the Money Network's toll-free customer-service line at 1-800-684-7051 or 1-800-684-7053 (TTY).

Learn more about the debit card (edd.ca.gov/debitcard).

Tax Requirements

Unemployment benefits are subject to federal income tax but exempt from California state income tax. Each time you certify for benefits, you can choose to withhold the 10 percent federal income tax from your weekly benefit payment. Otherwise, you may need to pay the tax at the end of the year when you file your tax return.

Each January, we mail a Form 1099G to individuals who received unemployment during the previous calendar year. Use the form to report important tax information on your federal tax return. You can access Form 1099G information for up to the past five years or request duplicate copies through UI Online or by calling 1-866-401-2849.

Child Support Obligations

Your unemployment benefits may be reduced if you're required to pay child support payments to a court, District Attorney's office, or other child support enforcement agency.

Report Earnings

You must report **all** work, wages, and other income to us during the week they were earned, not when you receive your pay. Failure to properly report your earnings can result in overpayments and penalties.

Types of income to report:

- Piece work
- Idle time pay
- Jury fees
- Commissions
- Witness fees
- Reuse pay
- Holiday pay
- Holding fees
- Residuals
- Awards
- Vacation pay
- In-lieu-of-notice pay
- Bonuses
- Tips
- Self-employment income
- Strike benefits
- Picket pay
- Standby pay
- Bereavement
- Back-pay
- Paid sick leave
- Workers' Compensation
- Pension
- Retirement
- Annuity

Note: You must report board, lodging, meals, or any other payment you receive instead of money when you work. If you are unsure about how to report wages, contact us.

Pension or Retirement Pay

Unemployment benefits may be reduced if you are receiving a pension, retirement pay, annuity, or other similar payment based on your previous work.

Social Security benefits are not deductible from unemployment benefits and do not need to be reported to us.

Part-Time Work

If you work less than full-time, you must report that work to us. However, you may still be eligible for partial unemployment benefits. The first \$25 or 25 percent of your gross total earnings for the week (whichever is greater) will not be counted toward your benefit amount. The amount remaining will be deducted from your weekly benefit amount.

Example 1:

Your weekly benefit amount is \$50. You earn \$30. You must report the \$30; however, the first \$25 is not counted, leaving \$5 to deduct from your weekly benefit amount. You would receive \$45 (\$50 minus \$5) in unemployment benefits.

Example 2:

Your weekly benefit amount is \$400. You earn \$200. You must report \$200; however, the first 25 percent (\$50) is not counted, leaving \$150 to deduct from your weekly benefit amount. You would receive \$250 (\$400 minus \$150) in unemployment benefits.

How Your Eligibility is Determined

To be eligible, you must be:

- Out of work through no fault of your own.
- Physically able to work.
- Ready to accept work.
- Actively looking for work.

If you were laid off, you're considered to be out of work through no fault of your own.

If you quit your last job, were fired, or are unemployed due to a strike or lockout, we will schedule a phone interview with you to collect information on the reason you are no longer working. Your unemployment benefits cannot be paid until your phone interview is complete, you certify for benefits, and we determine your eligibility.

You have the right to request more time to gather information, contact witnesses, or obtain the advice of a representative. If the eligibility issue

involves an employer, we may contact the employer.

If you are sent a written request for more information and you respond by mail, the interviewer will use the information you send to determine your eligibility.

If you are denied benefits for any reason throughout your claim, including insufficient wages to set up a claim, a written Notice of Determination (DE 1080CZ) will be mailed to you explaining the reason along with your appeal rights.

Important: Your benefits can be delayed or denied if you are not available for the interview or do not send the required information. We will decide your eligibility based on the information available.

Appeals Process

If you are denied benefits, you have the legal right to appeal the decision by completing and mailing the *Appeal Form* (DE 1000M). To be considered timely, it must be mailed within 30 calendar days from the mailing date of the *Notice of Determination* (DE 1080CZ). If you miss the 30-day deadline, you may still appeal, but you must show good cause for the delay.

Your appeal will be heard by an independent administrative law judge. Hearings are informal, but all testimony is taken under oath and is subject to cross-examination. The office of appeal will let you know when and where the hearing will be held.

Before the hearing, you have the right to review all records affecting your appeal. Those records are provided by California Unemployment Insurance Appeals Board (CUIAB). You can request records from us to prepare for your hearing.

At the hearing, you may be represented by yourself, a union official, an attorney, or anyone else you select. You may bring any relevant documentation to support your case.

After the hearing, you are mailed the administrative law judge's decision. If you are not satisfied, you may send a second level appeal to the CUIAB.

For information on how the UI code is applied, including current case studies, see the [Benefit Determination Guide](http://edd.ca.gov/uibdg) (edd.ca.gov/uibdg).

Important: You must continue to certify for benefits while your claim is under appeal. If the original decision is reversed, we can quickly issue all back payments to you. **Failure to comply could result in your benefits being denied or delayed.**

Canceling a Claim

You may cancel a claim if you meet **all** the following criteria:

- No benefits have been paid.
- You are not disqualified for benefits due to an eligibility issue.
- An overpayment has not been established on the claim.
- You notify us before the 52-week benefit year ends.

Once a claim is canceled, it cannot be re-established with the same beginning date. You must apply for a new claim, which will have a later beginning date.

Workers Not Covered by Unemployment Benefits

The following groups of workers are not normally covered:

- Elected officials.
- Self-employed, unless participating in elective coverage.
- Students enrolled and regularly attending classes at the school or education institution where employed.
- Members of a Limited Liability Company (LLC) that are treated as a partnership for federal income tax reporting purposes.
- A student's spouse who is working for an educational institution in an employment program provided for the purpose of financially aiding the student.
- Parents employed by their children, or children under the age of 18 employed by their parents.
- Husbands and wives employed by each other.
- Registered domestic partner employed by their registered domestic partner.
- Certain state-licensed salespersons paid only by commissions.
- Caddies and jockeys.

For more information, refer to [Exempt Employment \(DE 231EE\) \(PDF\)](#) (edd.ca.gov/siteassets/files/pdf_pub_ctr/de231ee.pdf) and [Family Employment \(DE 231FAM\) \(PDF\)](#) (edd.ca.gov/siteassets/files/pdf_pub_ctr/de231fam.pdf) for additional information.

If you do not know whether you are covered, do not waive your rights. Contact us for more information.

Elective Coverage

Under certain conditions, employers of the individuals whose services are not covered may elect to cover those services. If you are not sure whether you are eligible for these benefits, contact us.

Request a Claim Print Out

You may request a printout out of your claim through one of the following methods:

- Create a UI Online (edd.ca.gov/UI_Online) account.
- Select **Claim History** and print.
- Call us at 1-800-300-5616.

Special Programs

California Training Benefits

If you are attending school or training while receiving unemployment benefits, you may qualify for California Training Benefits (CTB).

If eligible, you can further your education, upgrade your skills, or learn a new trade while attending an EDD-approved training or school program to be more competitive in today's labor market.

While in school or training, you will be exempt from the requirements to be available for work, actively seek work, and accept work. You may also be eligible for additional weeks of benefits. To learn more visit California Training Benefits (edd.ca.gov/en/unemployment/California_Training_Benefits).

Note: We do **not** cover educational or training-related expenses such as tuition, fees, books, supplies, or transportation. However, there are state, federal, or employer programs that may fund your school or training.

Training Extension

A Training Extension (TE) provides additional benefits to individuals who have been approved for CTB, while completing school or training. Only one TE is allowed for each CTB-approved training period.

If interested, you must contact us to inquire about a TE before receiving the 16th week of unemployment benefits. For claims that have less than 16 weeks of benefits, you must contact us before the claim reaches a zero balance.

Disaster Unemployment Assistance

The federal Disaster Unemployment Assistance (DUA) program gives financial help to individuals whose employment or self-employment has been lost or interrupted as a direct result of a major disaster and who are not eligible for regular unemployment benefits. These benefits are available only when the President of the United States declares a major disaster and makes this special assistance available.

If DUA benefits are available, information will be posted on our website (edd.ca.gov).

Trade Adjustment Assistance

The Trade Adjustment Assistance (TAA) program is a federally funded program that gives benefits and services to eligible workers who are certified by the US Department of Labor (DOL) as having lost their jobs, or had their hours and wages reduced, because of foreign trade. Types of benefits include training, employment and case-management services, job

search and relocation allowances, income support, and wage subsidies. To learn more, visit [TAA Programs](http://edd.ca.gov/en/jobs_and_training/trade_act) (edd.ca.gov/en/jobs_and_training/trade_act).

The wage subsidy program provides wage subsidies to individuals aged 50 or older who return to work earning less than their former trade impacted employment.

Extended Benefits

Extended benefits are available to workers who have exhausted regular unemployment insurance benefits when the unemployment rate equals or exceeds a certain percentage established by state or federal law or when the federal government approves special extended benefit legislation.

Work Sharing

The Work Sharing program helps participating employers minimize or eliminate the need for layoffs if the business's production or services have been reduced. It allows employers to keep trained employees and quickly recover when business conditions improve.

To participate, an employer must apply and meet all requirements, including, but not limited to:

- Be a legally registered business in California.
- A minimum of two employees and at least 10 percent of your regular workforce must be affected by a reduction of at least 10 percent and no more than 60 percent in both hours worked and wages earned.
- Health and retirement benefits must stay the same as before, or they must meet the same standards as other employees who are not participating in Work Sharing.
- The employees' bargaining unit must agree to voluntarily participate and sign the application for Work Sharing.

With Work Sharing, participating employees whose hours and wages have been reduced can:

- Receive UI benefits corresponding to the percentage of their work hours and wages.
- Keep their current job.
- Avoid financial hardships.

To learn more, visit [Work Sharing Program](http://edd.ca.gov/en/Unemployment/Work_Sharing_Program) (edd.ca.gov/en/Unemployment/Work_Sharing_Program).

Partial Claims

Like our Work Sharing Program, Partial Claims is an alternative to layoffs and allows employers to keep staff by reducing their earnings.

The employer certifies that the employee is expected to return to work

and gives the employee the [Notice of Reduced Earnings \(DE 2063\) \(PDF\)](#) (edd.ca.gov/siteassets/files/pdf_pub_ctr/de2063.pdf) or [Notice of Reduced Earnings \(Fisherman\) \(DE 2063F\)](#) (edd.ca.gov/siteassets/files/pdf_pub_ctr/de2063f.pdf) to apply for unemployment.

Employees participating in this program are considered partially employed and are not required to look for a new job to receive benefits.

To learn more, visit [Partial Claims](#) (edd.ca.gov/en/unemployment/partial_claims).

Railroad Unemployment Benefits

Railroad workers may claim benefits under the U.S. Railroad Unemployment Insurance Act. This program is administered by the U.S. Railroad Retirement Board (RRB).

To apply, call the toll-free number at 1-877-772-5772 between 9 a.m. and 3:30 p.m., Monday through Friday to speak to an RRB representative or apply online at US Railroad Retirement Board at US Railroad Retirement Board (rrb.gov).

Unemployment Insurance Fraud Prevention and Detection

We take the security of personal and confidential information very seriously. Therefore, all data submitted to us is encrypted. Additional safeguards are built in to further protect your personal information from imposter fraud and identity theft.

Imposter fraud occurs when someone intentionally applies for unemployment using another person's employment or personal information. We actively investigate cases of imposter fraud and are committed to protecting the identities of legitimate claimants.

If we suspect that there may be identity issues, you will receive a written request to confirm the information provided. We will also contact your former employers and governmental entities to verify your documents and information.

For more information, download the [Protect Your Identity and Stop Unemployment Insurance Imposter Fraud \(DE 2360EE\) \(PDF\)](#) brochure (edd.ca.gov/pdf_pub_ctr/de2360ee.pdf).

To report UI fraud, visit [Ask EDD](#) (askedd.edd.ca.gov) and select **Report Fraud** to send a Fraud Reporting Form online, or call the EDD toll-free fraud hotline at 1-800-229-6297.

Penalties

Making a false statement or withholding information to receive benefits can be a felony. Penalties may include a loss of benefits, a false statement disqualification, and criminal prosecution.

A false statement disqualification denies benefits from 2 to 23 weeks. The disqualification stays on your record for three years or until served, whichever comes first. To serve false statement weeks, you must continue to certify for unemployment benefits, and meet all other eligibility requirements. You will not be paid during this time.

Benefit Audits

We conduct audits by cross-referencing employer information with claim information to determine if a customer properly reported all work, wages, and other income to us while collecting unemployment benefits. Overpayments and penalties collected from these audits ensure the solvency of the UI Trust Fund and help reduce UI taxes.

Social Security Number Verification

We may require you to verify your Social Security number (SSN) as issued to you by the Social Security Administration (SSA).

Your eligibility for benefits may be affected if:

- The SSN provided is assigned to a different name or belongs to another individual.
- The SSN is not valid.
- The SSN was never issued by the SSA.
- The wages in the base period belong to another individual.
- The date of birth at the SSA is different than the date of birth you gave when you applied.

If we require you to verify your SSN, you may be asked to send a complete copy of your Annual Social Security Statement. To obtain a copy of your complete Social Security Statement visit the SSA online (ssa.gov).

A copy of your Social Security card will not satisfy this requirement.

State Disability Insurance (SDI)

State Disability Insurance (SDI) is made up of Disability Insurance (DI) and Paid Family Leave (PFL). The program is funded entirely by California workers through employee payroll deductions, noted as CASDI on paystubs.

Exceptions:

- Employees of local public entities (except workers in district hospitals) are not covered by SDI unless the employer elects such coverage.
- Employees of the state or state-funded institutions of higher education may, through their collective bargaining units, elect to be covered by SDI.
- Self-employed individuals may elect to be covered by SDI.

Note: Citizenship and immigration status do not affect eligibility for SDI.

Disability Insurance

Disability Insurance (DI) provides short-term, partial wage replacement benefits to eligible workers who are unable to work due to a non-work-related illness, injury, or pregnancy.

When to file a claim: Submit your claim no earlier than 9 days after the first day your disability begins, but no later than 49 days after your disability begins or you may lose benefits.

For faster processing, file your claim using [SDI Online](http://edd.ca.gov/en/Disability/SDI_Online) (edd.ca.gov/en/Disability/SDI_Online).

Exception: If a claim is filed for the same or related cause or condition within 60 days of the initial claim, there is no new waiting period.

To file a claim or learn more, visit State Disability Insurance (edd.ca.gov/disability). EDD staff are available from Monday through Friday between 8 a.m. and 5 p.m. (Pacific Time), except on state holidays.

Refer to page 20 for a list of DI phone numbers.

Paid Family Leave

Paid Family Leave (PFL) provides short-term, partial wage replacement benefits to eligible workers who need to take time off work to care for a seriously ill child, parent, parent-in-law, grandparent, grandchild, sibling, spouse, or registered domestic partner. Benefits are available to parents who need time to bond with a new child entering their family either by birth, adoption, or foster care placement. Benefits are also available for individuals who need time off work to participate in a qualifying event resulting from a spouse, registered domestic partner, parent, or child's military deployment to a foreign country.

When to file a claim: Submit your claim no earlier than the first day your family leave begins, but no later than 41 days after your family leave begins or you may lose benefits.

For faster processing, file your claim using SDI Online (edd.ca.gov/en/Disability/SDI_Online).

To file, or learn more visit Paid Family Leave (edd.ca.gov/en/disability/paid-family-leave).

Our staff are available Monday through Friday between 8 a.m. and 5 p.m. (Pacific Time), except on state holidays.

Refer to page 20 for a list of PFL phone numbers.

Workforce Services

In partnership with state and local agencies, we offer a range of employment and training services, for job seekers at no cost, through the America's Job Center of CaliforniaSM (AJCC).

Through the AJCCs, we support job seekers with job search and resume workshops, job fairs, and referrals to other workforce partners, and much more. For more information, find your nearest AJCC by using the [Office Locator](http://edd.ca.gov/Office_Locator) (edd.ca.gov/Office_Locator).

CalJOBSSM

CalJOBS is California's online resource to help job seekers and employers navigate our workforce services. CalJOBSSM allows users to easily search for jobs, build resumes, access career resources, find qualified candidates for employment, and gather information on education and training programs.

Job seekers can:

- Create a resume or upload multiple resumes.
- Search and apply for job openings.
- Set up alerts for job openings.
- Research employers.
- Make customized resumes viewable to employers.

Note: Registering for a CalJOBS account and posting a resume is an eligibility requirement for many unemployment claimants. To register, visit [CalJOBS](http://caljobs.ca.gov) (caljobs.ca.gov).

Migrant and Seasonal Farmworkers Outreach Program

The Migrant and Seasonal Farmworker (MSFW) Outreach program helps farmworkers unfamiliar with the services provided at the AJCC. These no cost services include:

- Referrals to local supportive services.
- General information about unemployment and disability insurance.
- Help with employment services and employment related law complaints.
- Information about farmworker employment rights.
- Help with job search, job screening and referrals to jobs.

Services for Veterans

We offer services for veterans to help them achieve their employment and training goals. Services include labor market information, veteran 24-hour priority hold on all job listings, customized job search help, job fairs, workshops, employer recruitments, and other resources.

Youth Employment Opportunity Program

The Youth Employment Opportunity Program provides special services to help youth, ages 15 to 25 years, achieve their educational and vocational goals. Services include peer advising, referrals to supportive services, workshops, job referrals and placement assistance, and referrals to training and community outreach efforts.

For more information on the programs and services listed above, visit [Jobs and Training](http://edd.ca.gov/Jobs_and_Training) (edd.ca.gov/Jobs_and_Training).

Unemployment Insurance Benefit Table
For New Claims with a Beginning Date of January 2, 2005 or After

Amount of Wages in Highest Quarter	Weekly Benefit Amount	Amount of Wages in Highest Quarter	Weekly Benefit Amount	Amount of Wages in Highest Quarter	Weekly Benefit Amount
\$ 900.00 – 948.99	\$40	\$ 2,210.01 – 2,236.00	\$86	\$ 3,406.01 – 3,432.00	\$132
949.00 – 974.99	41	2,236.01 – 2,262.00	87	3,432.01 – 3,458.00	133
975.00 – 1,000.99	42	2,262.01 – 2,288.00	88	3,458.01 – 3,484.00	134
1,001.00 – 1,026.99	43	2,288.01 – 2,314.00	89	3,484.01 – 3,510.00	135
1,027.00 – 1,052.99	44	2,314.01 – 2,340.00	90	3,510.01 – 3,536.00	136
1,053.00 – 1,078.99	45	2,340.01 – 2,366.00	91	3,536.01 – 3,562.00	137
1,079.00 – 1,117.99	46	2,366.01 – 2,392.00	92	3,562.01 – 3,588.00	138
1,118.00 – 1,143.99	47	2,392.01 – 2,418.00	93	3,588.01 – 3,614.00	139
1,144.00 – 1,169.99	48	2,418.01 – 2,444.00	94	3,614.01 – 3,640.00	140
1,170.00 – 1,195.99	49	2,444.01 – 2,470.00	95	3,640.01 – 3,666.00	141
1,196.00 – 1,221.99	50	2,470.01 – 2,496.00	96	3,666.01 – 3,692.00	142
1,222.00 – 1,247.99	51	2,496.01 – 2,522.00	97	3,692.01 – 3,718.00	143
1,248.00 – 1,286.99	52	2,522.01 – 2,548.00	98	3,718.01 – 3,744.00	144
1,287.00 – 1,312.99	53	2,548.01 – 2,574.00	99	3,744.01 – 3,770.00	145
1,313.00 – 1,338.99	54	2,574.01 – 2,600.00	100	3,770.01 – 3,796.00	146
1,339.00 – 1,364.99	55	2,600.01 – 2,626.00	101	3,796.01 – 3,822.00	147
1,365.00 – 1,403.99	56	2,626.01 – 2,652.00	102	3,822.01 – 3,848.00	148
1,404.00 – 1,429.99	57	2,652.01 – 2,678.00	103	3,848.01 – 3,874.00	149
1,430.00 – 1,455.99	58	2,678.01 – 2,704.00	104	3,874.01 – 3,900.00	150
1,456.00 – 1,494.99	59	2,704.01 – 2,730.00	105	3,900.01 – 3,926.00	151
1,495.00 – 1,520.99	60	2,730.01 – 2,756.00	106	3,926.01 – 3,952.00	152
1,521.00 – 1,546.99	61	2,756.01 – 2,782.00	107	3,952.01 – 3,978.00	153
1,547.00 – 1,585.99	62	2,782.01 – 2,808.00	108	3,978.01 – 4,004.00	154
1,586.00 – 1,611.99	63	2,808.01 – 2,834.00	109	4,004.01 – 4,030.00	155
1,612.00 – 1,637.99	64	2,834.01 – 2,860.00	110	4,030.01 – 4,056.00	156
1,638.00 – 1,676.99	65	2,860.01 – 2,886.00	111	4,056.01 – 4,082.00	157
1,677.00 – 1,702.99	66	2,886.01 – 2,912.00	112	4,082.01 – 4,108.00	158
1,703.00 – 1,741.99	67	2,912.01 – 2,938.00	113	4,108.01 – 4,134.00	159
1,742.00 – 1,767.99	68	2,938.01 – 2,964.00	114	4,134.01 – 4,160.00	160
1,768.00 – 1,806.99	69	2,964.01 – 2,990.00	115	4,160.01 – 4,186.00	161
1,807.00 – 1,832.99	70	2,990.01 – 3,016.00	116	4,186.01 – 4,212.00	162
1,833.00 – 1,846.00	71	3,016.01 – 3,042.00	117	4,212.01 – 4,238.00	163
1,846.01 – 1,872.00	72	3,042.01 – 3,068.00	118	4,238.01 – 4,264.00	164
1,872.01 – 1,898.00	73	3,068.01 – 3,094.00	119	4,264.01 – 4,290.00	165
1,898.01 – 1,924.00	74	3,094.01 – 3,120.00	120	4,290.01 – 4,316.00	166
1,924.01 – 1,950.00	75	3,120.01 – 3,146.00	121	4,316.01 – 4,342.00	167
1,950.01 – 1,976.00	76	3,146.01 – 3,172.00	122	4,342.01 – 4,368.00	168
1,976.01 – 2,002.00	77	3,172.01 – 3,198.00	123	4,368.01 – 4,394.00	169
2,002.01 – 2,028.00	78	3,198.01 – 3,224.00	124	4,394.01 – 4,420.00	170
2,028.01 – 2,054.00	79	3,224.01 – 3,250.00	125	4,420.01 – 4,446.00	171
2,054.01 – 2,080.00	80	3,250.01 – 3,276.00	126	4,446.01 – 4,472.00	172
2,080.01 – 2,106.00	81	3,276.01 – 3,302.00	127	4,472.01 – 4,498.00	173
2,106.01 – 2,132.00	82	3,302.01 – 3,328.00	128	4,498.01 – 4,524.00	174
2,132.01 – 2,158.00	83	3,328.01 – 3,354.00	129	4,524.01 – 4,550.00	175
2,158.01 – 2,184.00	84	3,354.01 – 3,380.00	130	4,550.01 – 4,576.00	176
2,184.01 – 2,210.00	85	3,380.01 – 3,406.00	131	4,576.01 – 4,602.00	177

Unemployment Insurance Benefit Table
For New Claims with a Beginning Date of January 2, 2005 or After

Amount of Wages in Highest Quarter	Weekly Benefit Amount	Amount of Wages in Highest Quarter	Weekly Benefit Amount	Amount of Wages in Highest Quarter	Weekly Benefit Amount
\$ 4,602.01 – 4,628.00	\$178	\$ 5,798.01 – 5,824.00	\$224	\$ 6,994.01 – 7,020.00	\$270
4,628.01 – 4,654.00	179	5,824.01 – 5,850.00	225	7,020.01 – 7,046.00	271
4,654.01 – 4,680.00	180	5,850.01 – 5,876.00	226	7,046.01 – 7,072.00	272
4,680.01 – 4,706.00	181	5,876.01 – 5,902.00	227	7,072.01 – 7,098.00	273
4,706.01 – 4,732.00	182	5,902.01 – 5,928.00	228	7,098.01 – 7,124.00	274
4,732.01 – 4,758.00	183	5,928.01 – 5,954.00	229	7,124.01 – 7,150.00	275
4,758.01 – 4,784.00	184	5,954.01 – 5,980.00	230	7,150.01 – 7,176.00	276
4,784.01 – 4,810.00	185	5,980.01 – 6,006.00	231	7,176.01 – 7,202.00	277
4,810.01 – 4,836.00	186	6,006.01 – 6,032.00	232	7,202.01 – 7,228.00	278
4,836.01 – 4,862.00	187	6,032.01 – 6,058.00	233	7,228.01 – 7,254.00	279
4,862.01 – 4,888.00	188	6,058.01 – 6,084.00	234	7,254.01 – 7,280.00	280
4,888.01 – 4,914.00	189	6,084.01 – 6,110.00	235	7,280.01 – 7,306.00	281
4,914.01 – 4,940.00	190	6,110.01 – 6,136.00	236	7,306.01 – 7,332.00	282
4,940.01 – 4,966.00	191	6,136.01 – 6,162.00	237	7,332.01 – 7,358.00	283
4,966.01 – 4,992.00	192	6,162.01 – 6,188.00	238	7,358.01 – 7,384.00	284
4,992.01 – 5,018.00	193	6,188.01 – 6,214.00	239	7,384.01 – 7,410.00	285
5,018.01 – 5,044.00	194	6,214.01 – 6,240.00	240	7,410.01 – 7,436.00	286
5,044.01 – 5,070.00	195	6,240.01 – 6,266.00	241	7,436.01 – 7,462.00	287
5,070.01 – 5,096.00	196	6,266.01 – 6,292.00	242	7,462.01 – 7,488.00	288
5,096.01 – 5,122.00	197	6,292.01 – 6,318.00	243	7,488.01 – 7,514.00	289
5,122.01 – 5,148.00	198	6,318.01 – 6,344.00	244	7,514.01 – 7,540.00	290
5,148.01 – 5,174.00	199	6,344.01 – 6,370.00	245	7,540.01 – 7,566.00	291
5,174.01 – 5,200.00	200	6,370.01 – 6,396.00	246	7,566.01 – 7,592.00	292
5,200.01 – 5,226.00	201	6,396.01 – 6,422.00	247	7,592.01 – 7,618.00	293
5,226.01 – 5,252.00	202	6,422.01 – 6,448.00	248	7,618.01 – 7,644.00	294
5,252.01 – 5,278.00	203	6,448.01 – 6,474.00	249	7,644.01 – 7,670.00	295
5,278.01 – 5,304.00	204	6,474.01 – 6,500.00	250	7,670.01 – 7,696.00	296
5,304.01 – 5,330.00	205	6,500.01 – 6,526.00	251	7,696.01 – 7,722.00	297
5,330.01 – 5,356.00	206	6,526.01 – 6,552.00	252	7,722.01 – 7,748.00	298
5,356.01 – 5,382.00	207	6,552.01 – 6,578.00	253	7,748.01 – 7,774.00	299
5,382.01 – 5,408.00	208	6,578.01 – 6,604.00	254	7,774.01 – 7,800.00	300
5,408.01 – 5,434.00	209	6,604.01 – 6,630.00	255	7,800.01 – 7,826.00	301
5,434.01 – 5,460.00	210	6,630.01 – 6,656.00	256	7,826.01 – 7,852.00	302
5,460.01 – 5,486.00	211	6,656.01 – 6,682.00	257	7,852.01 – 7,878.00	303
5,486.01 – 5,512.00	212	6,682.01 – 6,708.00	258	7,878.01 – 7,904.00	304
5,512.01 – 5,538.00	213	6,708.01 – 6,734.00	259	7,904.01 – 7,930.00	305
5,538.01 – 5,564.00	214	6,734.01 – 6,760.00	260	7,930.01 – 7,956.00	306
5,564.01 – 5,590.00	215	6,760.01 – 6,786.00	261	7,956.01 – 7,982.00	307
5,590.01 – 5,616.00	216	6,786.01 – 6,812.00	262	7,982.01 – 8,008.00	308
5,616.01 – 5,642.00	217	6,812.01 – 6,838.00	263	8,008.01 – 8,034.00	309
5,642.01 – 5,668.00	218	6,838.01 – 6,864.00	264	8,034.01 – 8,060.00	310
5,668.01 – 5,694.00	219	6,864.01 – 6,890.00	265	8,060.01 – 8,086.00	311
5,694.01 – 5,720.00	220	6,890.01 – 6,916.00	266	8,086.01 – 8,112.00	312
5,720.01 – 5,746.00	221	6,916.01 – 6,942.00	267	8,112.01 – 8,138.00	313
5,746.01 – 5,772.00	222	6,942.01 – 6,968.00	268	8,138.01 – 8,164.00	314
5,772.01 – 5,798.00	223	6,968.01 – 6,994.00	269	8,164.01 – 8,190.00	315

Unemployment Insurance Benefit Table
For New Claims with a Beginning Date of January 2, 2005 or After

Amount of Wages in Highest Quarter	Weekly Benefit Amount	Amount of Wages in Highest Quarter	Weekly Benefit Amount	Amount of Wages in Highest Quarter	Weekly Benefit Amount
\$ 8,190.01 – 8,216.00	\$316	\$ 9,386.01 – 9,412.00	\$362	\$10,582.01 – 10,608.00	\$408
8,216.01 – 8,242.00	317	9,412.01 – 9,438.00	363	10,608.01 – 10,634.00	409
8,242.01 – 8,268.00	318	9,438.01 – 9,464.00	364	10,634.01 – 10,660.00	410
8,268.01 – 8,294.00	319	9,464.01 – 9,490.00	365	10,660.01 – 10,686.00	411
8,294.01 – 8,320.00	320	9,490.01 – 9,516.00	366	10,686.01 – 10,712.00	412
8,320.01 – 8,346.00	321	9,516.01 – 9,542.00	367	10,712.01 – 10,738.00	413
8,346.01 – 8,372.00	322	9,542.01 – 9,568.00	368	10,738.01 – 10,764.00	414
8,372.01 – 8,398.00	323	9,568.01 – 9,594.00	369	10,764.01 – 10,790.00	415
8,398.01 – 8,424.00	324	9,594.01 – 9,620.00	370	10,790.01 – 10,816.00	416
8,424.01 – 8,450.00	325	9,620.01 – 9,646.00	371	10,816.01 – 10,842.00	417
8,450.01 – 8,476.00	326	9,646.01 – 9,672.00	372	10,842.01 – 10,868.00	418
8,476.01 – 8,502.00	327	9,672.01 – 9,698.00	373	10,868.01 – 10,894.00	419
8,502.01 – 8,528.00	328	9,698.01 – 9,724.00	374	10,894.01 – 10,920.00	420
8,528.01 – 8,554.00	329	9,724.01 – 9,750.00	375	10,920.01 – 10,946.00	421
8,554.01 – 8,580.00	330	9,750.01 – 9,776.00	376	10,946.01 – 10,972.00	422
8,580.01 – 8,606.00	331	9,776.01 – 9,802.00	377	10,972.01 – 10,998.00	423
8,606.01 – 8,632.00	332	9,802.01 – 9,828.00	378	10,998.01 – 11,024.00	424
8,632.01 – 8,658.00	333	9,828.01 – 9,854.00	379	11,024.01 – 11,050.00	425
8,658.01 – 8,684.00	334	9,854.01 – 9,880.00	380	11,050.01 – 11,076.00	426
8,684.01 – 8,710.00	335	9,880.01 – 9,906.00	381	11,076.01 – 11,102.00	427
8,710.01 – 8,736.00	336	9,906.01 – 9,932.00	382	11,102.01 – 11,128.00	428
8,736.01 – 8,762.00	337	9,932.01 – 9,958.00	383	11,128.01 – 11,154.00	429
8,762.01 – 8,788.00	338	9,958.01 – 9,984.00	384	11,154.01 – 11,180.00	430
8,788.01 – 8,814.00	339	9,984.01 – 10,010.00	385	11,180.01 – 11,206.00	431
8,814.01 – 8,840.00	340	10,010.01 – 10,036.00	386	11,206.01 – 11,232.00	432
8,840.01 – 8,866.00	341	10,036.01 – 10,062.00	387	11,232.01 – 11,258.00	433
8,866.01 – 8,892.00	342	10,062.01 – 10,088.00	388	11,258.01 – 11,284.00	434
8,892.01 – 8,918.00	343	10,088.01 – 10,114.00	389	11,284.01 – 11,310.00	435
8,918.01 – 8,944.00	344	10,114.01 – 10,140.00	390	11,310.01 – 11,336.00	436
8,944.01 – 8,970.00	345	10,140.01 – 10,166.00	391	11,336.01 – 11,362.00	437
8,970.01 – 8,996.00	346	10,166.01 – 10,192.00	392	11,362.01 – 11,388.00	438
8,996.01 – 9,022.00	347	10,192.01 – 10,218.00	393	11,388.01 – 11,414.00	439
9,022.01 – 9,048.00	348	10,218.01 – 10,244.00	394	11,414.01 – 11,440.00	440
9,048.01 – 9,074.00	349	10,244.01 – 10,270.00	395	11,440.01 – 11,466.00	441
9,074.01 – 9,100.00	350	10,270.01 – 10,296.00	396	11,466.01 – 11,492.00	442
9,100.01 – 9,126.00	351	10,296.01 – 10,322.00	397	11,492.01 – 11,518.00	443
9,126.01 – 9,152.00	352	10,322.01 – 10,348.00	398	11,518.01 – 11,544.00	444
9,152.01 – 9,178.00	353	10,348.01 – 10,374.00	399	11,544.01 – 11,570.00	445
9,178.01 – 9,204.00	354	10,374.01 – 10,400.00	400	11,570.01 – 11,596.00	446
9,204.01 – 9,230.00	355	10,400.01 – 10,426.00	401	11,596.01 – 11,622.00	447
9,230.01 – 9,256.00	356	10,426.01 – 10,452.00	402	11,622.01 – 11,648.00	448
9,256.01 – 9,282.00	357	10,452.01 – 10,478.00	403	11,648.01 – 11,674.00	449
9,282.01 – 9,308.00	358	10,478.01 – 10,504.00	404	11,674.01 – and over	450
9,308.01 – 9,334.00	359	10,504.01 – 10,530.00	405		
9,334.01 – 9,360.00	360	10,530.01 – 10,556.00	406		
9,360.01 – 9,386.00	361	10,556.01 – 10,582.00	407		

How to Get Help Online

- To learn more about EDD services and programs, visit [EDD](http://edd.ca.gov) online (edd.ca.gov).
- To ask us a question, access your UI Online or SDI account visit [Ask EDD](http://askedd.edd.ca.gov) (askedd.edd.ca.gov).
- To find your nearest AJCC, visit the [Office Locator](http://edd.ca.gov/en/Office_Locator) online (edd.ca.gov/en/Office_Locator).

Phone

All our phone numbers are toll free. For relay service, provide one of the numbers below to the operator.

Unemployment Insurance

EDD staff are available Monday through Friday between 8 a.m. and 5 p.m. (Pacific Time), except on state holidays.

English	1-800-300-5616	Mandarin	1-866-303-0706
Spanish	1-800-326-8937	Vietnamese	1-800-547-2058
Armenian	1-855-528-1518	Tagalog	1-866-395-1513
Cantonese	1-800-547-3506	TTY	1-800-815-9387
Korean	1-844-660-0877		

Disability Insurance

EDD staff are available Monday through Friday between 8 a.m. and 5 p.m. (Pacific Time), except on state holidays.

English	1-800-480-3287
Spanish	1-866-658-8846
TTY	1-800-563-2441

Paid Family Leave

EDD staff are available Monday through Friday between 8 a.m. and 5 p.m. (Pacific Time), except on state holidays.

English	1-877-238-4373	Punjabi	1-866-627-1568
Spanish	1-877-379-3819	Tagalog	1-866-627-1569
Armenian	1-866-627-1567	Vietnamese	1-866-692-5596
Cantonese	1-866-692-5595	TTY	1-800-445-1312



STATE OF CALIFORNIA

LABOR AND WORKFORCE DEVELOPMENT AGENCY

EMPLOYMENT DEVELOPMENT DEPARTMENT

This *For Your Benefit: California's Programs for the Unemployed* (DE 2320) publication can be viewed, printed, and ordered online by visiting [Online Forms and Publications](http://forms.edd.ca.gov/forms) (forms.edd.ca.gov/forms).

The EDD is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.

Disclaimer: If you opted out of receiving paper forms, it may still be necessary for the EDD to send some documents via U.S. mail.

Time of Hire Notice

This notice, or a similar one that has been approved by the Administrative Director, must be given to all newly hired employees in the State of California. Employers and claims administrators may use the content of this document and put their logos and additional information on it. The content of this notice applies to all industrial injuries that occur on or after January 1, 2013.

WHAT IS WORKERS' COMPENSATION?

If you get hurt on the job, your employer is required by law to pay for workers' compensation benefits. You could get hurt by:

One event at work. Examples: hurting your back in a fall, getting burned by a chemical that splashes on your skin or getting hurt in a car accident while making deliveries.

—or—

Repeated exposures at work. Examples: hurting your hand, back, or other part of your body from doing the same repeated motion or losing your hearing because of constant loud noise

—or—

Workplace crime. Examples: you get hurt in a store robbery, physically attacked by an unhappy customer.

Discrimination is illegal

It is illegal under Labor Code section 132a for your employer to punish or fire you because you:

- File a workers' compensation claim
- Intend to file a workers' compensation claim
- Settle a workers' compensation claim
- Testify or intend to testify for another injured worker.

If it is found that your employer discriminated against you, he or she may be ordered to return you to your job. Your employer may also be made to pay for lost wages, increased workers' compensation benefits, and costs and expenses set by state law.

WHAT ARE THE BENEFITS?

- **Medical care:** Paid for by your employer to help you recover from an injury or illness caused by work. Doctor visits, hospital services, physical therapy, lab tests and x-rays are some of the medical services that may be provided. These services should be necessary to treat your injury. There are limits on some services such as physical and occupational therapy and chiropractic care.



- **Temporary Disability (TD) benefits:** Payments if you lose wages because your injury prevents you from doing your usual job while recovering. The amount you may get is up to two-thirds of your wages. There are minimum and maximum payment limits set by state law. You will be paid every two weeks if you are eligible. For most injuries, payments may not exceed 104 weeks within five years from your date of injury. Temporary Disability (TD) stops when you return to work, or when the doctor releases you for work, or says your injury has improved as much as it's going to.
- **Permanent Disability (PD) benefits:** Payments if you don't recover completely. You will be paid every two weeks if you are eligible. There are minimum and maximum weekly payment rates established by state law. The amount of payment is based on:
 - Your doctor's medical reports
 - Your age
 - Your occupation
- **Supplemental Job Displacement Benefits (SJDB):** This is a voucher for up to \$6,000 that you can use for retraining or skill enhancement at an approved school, books, tools, licenses or certification fees, or other resources to help you find a new job.
You are eligible for this voucher if:
 - You have a permanent disability.
 - Your employer does not offer regular, modified, or alternative work, **within 60 days** after the claims administrator receives a doctor's report saying you have made a maximum medical recovery.
- **Return-to-Work Supplemental Program (RTWSP):** For dates of injury after 1/1/2013, you may qualify for additional money from the Division of Workers' compensation program known as the Return-to-Work Supplement Program (RTWSP) if you received the Supplemental Job Displacement Voucher (SJDB). If you have questions or think you qualify, contact the Information & Assistance Unit by calling 1-800-736-7401 or visit website: <https://www.dir.ca.gov/RTWSP/RTWSP.html>
- **Death benefits:** Payments to your spouse, children or other dependents if you die from a job injury or illness. The amount of payment is based on the number of dependents. The benefit is paid every two weeks at a rate of at least \$224 per week. In addition, workers' compensation provides a burial allowance.



OTHER BENEFITS

You may file a claim with the Employment Development Department (EDD) to get state disability benefits when workers' compensation benefits are delayed, denied, or have ended. There are time restrictions so for more information contact the local office of EDD or go to their web site www.edd.ca.gov.

Workers' compensation fraud is a crime

Any person who makes or causes to be made any knowingly false statement in order to obtain or deny workers' compensation benefits or payments is guilty of a felony. If convicted, the person will have to pay fines up to \$150,000 and/or serve up to five years in jail.

WHAT SHOULD I DO IF I HAVE AN INJURY?

Report your injury to your employer

Tell your supervisor right away no matter how slight the injury may be. Don't delay – there are time limits. You could lose your right to benefits if your employer does not learn of your injury within 30 days. If your injury or illness is one that develops over time, report it as soon as you learn it was caused by your job. If you cannot report to the employer or don't hear from the claims administrator after you have reported your injury, contact the claims administrator yourself.

San Joaquin County is self-insured for workers' compensation.

For questions contact:

SJC Risk Management

Address: 44 N. San Joaquin St #330 Stockton CA 95202

Phone: 209-468-3370 Main Number

You may be able to find the name of your employer's workers' compensation insurer at www.caworkcompcov.com. If no coverage exists or coverage has expired, contact the Division of Labor Standards Enforcement at www.dir.ca.gov/DLSE as all employees must be covered by law.

Get emergency treatment if needed

If it's a medical emergency, go to an emergency room right away. Tell the medical provider who treats you that your injury is job related. Your employer may tell you where to go for treatment.



Emergency telephone number: Call 9-911 for an ambulance, fire department or police. For non-emergency medical care, contact your supervisor or manager immediately, and report the incident:

You may go to any occupational health clinic in the local area

Fill out DWC 1 claim form and give it to your employer

Your employer must give you a [DWC 1 claim form](#) within one working day after learning about your injury or illness. Complete the employee portion, sign and give it back to your employer. Your employer will then file your claim with the claims administrator. Your employer must authorize treatment within **one working day** of receiving the **DWC 1 claim form**. If the injury is from repeated exposures, you have **one year** from when you realized your injury was job related to file a claim.

In either case, you may receive up to **\$10,000** in employer-paid medical care until your claim is either accepted or denied. The claims administrator has **up to 90 days** to decide whether to accept or deny your claim. Otherwise, your case is presumed payable. Your employer or the claims administrator will send you “benefit notices” that will advise you of the status of your claim.

MORE ABOUT MEDICAL CARE

What is a Primary Treating Physician (PTP)?

This is the doctor with overall responsibility for treating your injury or illness. He or she may be:

- The doctor you name in writing *before* you get hurt on the job
- A doctor from the medical provider network (MPN)
- The doctor chosen by your employer during the first 30 days of injury if your employer does not have an MPN or
- The doctor you chose after the first 30 days if your employer does not have a MPN.

What is a Medical Provider Network (MPN)?

A MPN is a select group of health care providers who treat injured workers. Check with your employer to see if they are using a MPN. If you have not named a doctor before you get hurt and your employer is using a MPN, you will see a MPN doctor. After your first visit, you are free to choose another doctor from the MPN list.

What is Predesignation?

Predesignation is when you name your regular doctor to treat you if you get hurt on the job. The doctor must be a medical doctor (M.D.), doctor of osteopathic medicine (D.O.) or a medical group with an M.D. or D.O. You must name your doctor in writing *before* you get hurt or become ill.



You may predesignate a doctor if you have health care coverage for non-work injuries and illnesses. The doctor must have:

- Treated you
- Maintained your medical history and records before your injury and
- Agreed to treat you for a work-related injury or illness before you get hurt or become ill.

You may use the “predesignation of personal physician” form included with this notice. After you fill in the form, be sure to give it to your employer. If your employer does not have an approved MPN, you may name your chiropractor or acupuncturist to treat you for work related injuries. The notice of personal chiropractor or acupuncturist must be in writing before you get hurt. You may use the form included in this notice. After you fill in the form, be sure to give it to your employer.

With some exceptions, state law does not allow a chiropractor to continue as your treating physician after 24 visits. Once you have received 24 chiropractic visits, if you still require medical treatment, you will have to select a new physician who is not a chiropractor. The term “chiropractic visit” means any chiropractic office visit, regardless of whether the services performed involve chiropractic manipulation or are limited to evaluation and management.

Exceptions to 24 visits include postsurgical physical medicine visits prescribed by the surgeon, or physician designated by the surgeon, under the postsurgical component of the Division of Workers’ Compensation’s Medical Treatment Utilization Schedule, or if your employer has authorized additional visits in writing.

WHAT IF THERE IS A PROBLEM?

If you have a concern, speak up. Talk to your employer or the claims administrator handling your claim and try to solve the problem. If this doesn’t work, get help by trying the following:

Contact the Division of Workers’ Compensation (DWC) Information and Assistance (I&A) Unit. All 24 DWC offices throughout the state provide information and assistance on rights, benefits and obligations under California’s workers’ compensation laws. I&A officers help resolve disputes without formal proceedings. Their goal is to get you full and timely benefits. Their services are free.

To contact the nearest I&A Unit, go to <https://www.dir.ca.gov/dwc/ianda.html> or call **1-800-736-7401**.

The nearest I&A Unit is located at:

Address: 3021 Reynolds Ranch Pkwy Ste 130, Lodi CA 95240

Phone number: 209-948-7759



Consult with an attorney

Most attorneys offer one free consultation. If you decide to hire an attorney, his or her fees may be taken out of some of your benefits. For names of workers' compensation attorneys, call the State Bar of California at **1-415-538-2120** or go visit their website at www.californiaspecialist.org. You may also get a list of attorneys from your local I&A Unit by calling **1-800-736-7401**.

Your employer may not pay workers' compensation benefits if you get hurt in a voluntary off- duty recreational, social or athletic activity that is not part of your work-related duties.

You may also have other rights under the Americans with Disabilities Act (ADA) or the California Fair Employment and Housing Act (FEHA). For additional information, contact California Civil Rights Department (CRD) at 1-800-884-1684 or the Equal Employment Opportunity Commission (EEOC) at 1-800-669-4000.

The information contained in this notice conforms to the informational requirements found in Labor Code sections 3551 and 3553 and California Code of Regulation, Title 8, sections 9880 and 9883. This document is approved by the Division of Workers' Compensation Administrative Director.

Please visit the Division of Workers' Compensation website at: www.dwc.ca.gov or call 1-800-736-7401

Department of Industrial Relations
1515 Clay Street, 17th Floor
Oakland, CA 94612



PREDESIGNATION OF PERSONAL PHYSICIAN

In the event you sustain an injury or illness related to your employment, you may be treated for such injury or illness by your personal medical doctor (M.D.), doctor of osteopathic medicine (D.O.) or medical group if:

- on the date of your work injury you have health care coverage for injuries or illnesses that are not work related;
- the doctor is your regular physician, who shall be either a physician who has limited his or her practice of medicine to general practice or who is a board-certified or board-eligible internist, pediatrician, obstetrician-gynecologist, or family practitioner, and has previously directed your medical treatment, and retains your medical records;
- your "personal physician" may be a medical group if it is a single corporation or partnership composed of licensed doctors of medicine or osteopathy, which operates an integrated multispecialty medical group providing comprehensive medical services predominantly for nonoccupational illnesses and injuries;
- prior to the injury your doctor agrees to treat you for work injuries or illnesses;
- prior to the injury you provided your employer the following in writing: (1) notice that you want your personal doctor to treat you for a work-related injury or illness, and (2) your personal doctor's name and business address.

You may use this form to notify your employer if you wish to have your personal medical doctor or a doctor of osteopathic medicine treat you for a work-related injury or illness and the above requirements are met.

NOTICE OF PREDESIGNATION OF PERSONAL PHYSICIAN

Employee: Complete this section.

To: _____ (name of employer) If I have a work-related injury or illness, I choose to be treated by:

(name of doctor)(M.D., D.O., or medical group)

_____ (street address, city, state, ZIP)

_____ (telephone number)

Employee Name (please print):_____

Employee's Address:_____

Name of Insurance Company, Plan, or Fund providing health coverage for nonoccupational injuries or illnesses: _____

Employee's Signature _____ Date: _____

Physician: I agree to this Predesignation:

Signature: _____ Date: _____
(Physician or Designated Employee of the Physician or Medical Group)

The physician is not required to sign this form, however, if the physician or designated employee of the physician or medical group does not sign, other documentation of the physician's agreement to be predesignated will be required pursuant to Title 8, California Code of Regulations, section 9780.1(a)(3).

Title 8, California Code of Regulations, section 9783.

NOTICE OF PERSONAL CHIROPRACTOR OR PERSONAL ACUPUNCTURIST

If your employer or your employer's insurer does not have a Medical Provider Network, you may be able to change your treating physician to your personal chiropractor or acupuncturist following a work-related injury or illness. In order to be eligible to make this change, you must give your employer the name and business address of a personal chiropractor or acupuncturist in writing prior to the injury or illness. Your claims administrator generally has the right to select your treating physician within the first 30 days after your employer knows of your injury or illness. After your claims administrator has initiated your treatment with another doctor during this period, you may then, upon request, have your treatment transferred to your personal chiropractor or acupuncturist.

NOTE: If your date of injury is January 1, 2004 or later, a chiropractor cannot be your treating physician after you have received 24 chiropractic visits unless your employer has authorized additional visits in writing. The term "chiropractic visit" means any chiropractic office visit, regardless of whether the services performed involve chiropractic manipulation or are limited to evaluation and management. Once you have received 24 chiropractic visits, if you still require medical treatment, you will have to select a new physician who is not a chiropractor. This prohibition shall not apply to visits for postsurgical physical medicine visits prescribed by the surgeon, or physician designated by the surgeon, under the postsurgical component of the Division of Workers' Compensation's Medical Treatment Utilization Schedule.

You may use this form to notify your employer of your personal chiropractor or acupuncturist.

Your Chiropractor or Acupuncturist's Information:

(name of chiropractor or acupuncturist)

(street address, city, state, zip code)

(Telephone number)

Employee Name (please print): _____

Employee's Address:

Employee's Signature _____ Date: _____

Title 8, California Code of Regulations, section 9783.1.
(Optional DWC Form 9783.1 Effective date July 1, 2014)