

Staff Handbook

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The J. Paul Getty Trust

Table of Contents

Section 1:	4
Introduction	4
▪ Mission.....	4
Section 2:	5
Your Pay and Benefits	5
▪ Employment Classification.....	5
• Hours of Work.....	5
• Terms of Employment.....	5
• At-Will Employment.....	5
• Overtime Eligibility Status (Non-Exempt/Exempt).....	6
▪ Workweek and Schedules.....	6
▪ Your Pay.....	6
• Compensation Philosophy.....	6
• How You Are Paid.....	7
• Pay Guidelines for Special Circumstances.....	9
▪ Your Benefits.....	10
• Employment Status and Benefits Summary.....	10
• Paid Holidays.....	11
• Vacation.....	12
• Personal Days.....	13
▪ Income Protection.....	14
• Sick Pay.....	14
• Long-Term Disability Plan.....	15
▪ Leaves of Absence – Personal, Medical and Family-Related Leaves.....	15
• Procedures for All Personal, Medical and Family-Related Leaves.....	18
• Pay and Benefits for All Personal, Medical and Family-Related Leaves.....	20
• State Disability Insurance (SDI).....	21
• Family Temporary Disability Insurance (FTDI).....	21
• Workers’ Compensation.....	22
• Other Leaves of Absence.....	22
▪ Other Benefits.....	27
• Credit Union and Bank Discounts.....	27
• Educational Assistance.....	27
• Matching Employee Gifts Program.....	28
• Lactation Room.....	28
• Employee Activities/Fitness Center.....	28
• Discounts on Merchandise and Food.....	29
• Attendance at Getty-Sponsored Events.....	29
• Getty Transportation Program.....	29

Section 3:	30
Your Job	30
• Equal Employment Opportunity.....	30
• Policy Against Discriminatory Harassment.....	30
• Workplace Accommodations for Employees with Disabilities.....	33
• Attendance and Punctuality	34
• Introductory Period.....	34
• Personnel Information	34
• Job Posting and Transfer	35
• Employee Work Apparel/Appearance.....	35
• Job Performance and Conduct.....	35
• Types of Disciplinary Action.....	36
• Conflict Resolution Policy.....	36
• Separation Policy	37
• Reduction in Force.....	37
• Rehire Policy	38
• Law, Ethics and Professional Conduct	38
• Code of Ethics.....	38
• Workplace Complaints	40
• Board Service Policy	40
• Conflict of Interest.....	40
• Copyright and Patent Policy	40
• Employment of Relatives	41
• Outside Employment	41
• Confidential Information	41
• Solicitation/Distribution	42
• Safety	42
• Drug and Alcohol Policy	42
• Smoking.....	42
• Security and Inspections.....	43
• Identification Badges and Parking Decals.....	43
• Uniforms and Pagers.....	43
• Workplace Violence	43
• Personal Use of Getty Resources and Staff.....	44
• Access to Electronic Data.....	44
• Records Management and Institutional Archives Policy.....	45
• Licenses and Certification	45
• Immigration Law Compliance.....	46
Section 4:	47
Definitions	47
Index	51

The J. Paul Getty Trust
Staff Handbook
Section 1:

Introduction

This handbook has been designed to provide you with an overview of the J. Paul Getty Trust's employment policies and procedures, and your benefits as a Getty employee. This is your guide to information about your job at the Getty. Please read it carefully and keep it for future reference. This handbook cannot anticipate every situation or answer every question about employment and is not an employment contract.

The Getty retains the sole discretion to add to, modify, or rescind any policies, practices, or benefits described in the Staff Handbook, other than the employment at-will policy, at any time. The most current versions of these documents will be posted on the Human Resources section at www.getty.edu/staff. Whenever you have questions, you are encouraged to discuss them with your supervisor or your Human Resources Specialist.

Certain areas of the Getty may have additional department-specific policies and practices that supplement but do not replace the policies in this handbook. Please refer to your supervisor for information about these policies.

The section entitled “Your Pay and Benefits” highlights the Getty's compensation plans and programs. The section entitled “Your Job” describes the Getty's policies and procedures that offer guidelines for your job. Job performance, employment policies and procedures are a few of the topics covered. The “Definitions” section defines some terms used throughout this handbook.

Mission

The J. Paul Getty Trust is an international cultural and philanthropic institution that focuses on the visual arts in all their dimensions, recognizing their capacity to inspire and strengthen humanistic values. The Getty serves both the general public and a wide range of professional communities in Los Angeles and throughout the world. Through the work of the four Getty programs—the Museum, Research Institute, Conservation Institute, and Foundation—the Getty aims to further knowledge and nurture critical seeing through the growth and presentation of its collections and by advancing the understanding and preservation of the world's artistic heritage. The Getty pursues this mission with the conviction that cultural awareness, creativity, and aesthetic enjoyment are essential to a vital and civil society. *(Revised 9/12/07)*

The J. Paul Getty Trust
Staff Handbook
Section 2:

Your Pay and Benefits

The J. Paul Getty Trust offers a comprehensive compensation package to eligible employees. The information in this section will help you understand how the Getty's pay and benefit programs apply to you.

Detailed information about some benefit programs can be found in individual Summary Plan Description booklets (SPDs). Links to these booklets are distributed at the time of orientation. Hard copies can be obtained from your Human Resources Specialist. Benefits information is also available at www.getty.edu/staff. If there is a discrepancy between the handbook or Summary Plan Description and the insurance contracts or plan documents, the contracts or plan documents will govern.

Employment Classification

Getty employees are classified as full-time or part-time; as regular, limited-term, or temporary; and as “exempt” (salaried) or “non-exempt” (hourly) under state and federal wage and hour laws. All Getty employees are employees “at-will.”

Hours of Work

Full-time	30 – 40 regularly scheduled hours per week
Part-time	Fewer than 30 regularly scheduled hours per week

Terms of Employment

Regular	Hired for an unspecified duration
Limited-Term	Holds job of limited or specified duration arising out of special projects, unusual workloads or emergencies
Temporary	Provides on-call or intermittent service, with variable hours

At-Will Employment

Employment is at the mutual consent of the Getty and the employee, regardless of an employee's employment status and regardless of the number of hours regularly worked by the employee. Therefore, either the Getty or the employee can terminate the employment relationship at will, at any time, with or without cause, and with or without advance notice.

No employee at the Getty has the authority to alter this at-will policy, or to make any agreement contrary to this policy.

Overtime Eligibility Status (Non-Exempt/Exempt)

State and federal wage and hour laws determine whether employees are “exempt” (salaried) or “non-exempt” (hourly) based on duties, responsibilities, and compensation. If you are classified as non-exempt, you are eligible for overtime pay according to applicable state and federal guidelines. As discussed in greater detail below, a non-exempt employee should work overtime only if that work is approved in advance by his or her supervisor, and all overtime must be accurately documented on timecards. A non-exempt employee who works unauthorized overtime will be paid for that overtime, but may be subject to discipline for violation of this rule. Employees in exempt positions are not eligible for overtime pay.

Workweek and Schedules

All Getty employees have a workweek that begins on Sunday at 12:01 a.m. and ends at 12:00 midnight the following Saturday. The workweek is composed of seven workdays. The Getty workday is defined as the consecutive 24-hour period beginning at 12:01 a.m. to midnight. Daily overtime is based on the number of hours worked within a single workday.

There are two different standard schedules, and specific schedules are determined by the operational needs of each department. To meet operational needs, staggered schedules, extended hours, night shifts, or weekend shifts may be necessary.

All employees are entitled to take a meal break. Non-exempt employees must take a meal break of at least 30 minutes for each period of more than 5 hours, and are also entitled to two ten-minute rest periods during each 8- to 9-hour workday; scheduling of breaks should be arranged with your supervisor. Meal breaks must be accurately recorded on employee timecards.

Schedule 1: Employees on this schedule work alternate weeks of five 8-hour days and four 9-hour days. Full-time employees normally work 40 or 36 hours each workweek; each bi-weekly pay period consists of nine workdays and 76 hours.

Schedule 2: Employees on this schedule work five 8-hour days each week. Full-time employees normally work 40 hours per week; each bi-weekly pay period consists of ten workdays and 80 hours. All part-time and temporary employees are on Schedule 2. (*Revised 8/8/06*)

Your Pay

Compensation Philosophy

The Getty's compensation programs are designed to support the organization's goals, attract and keep top performers, and treat all employees fairly. An integrated pay and performance management system allows the Getty to reward and recognize employees. Many factors beyond compensation must be considered. These include benefits, opportunities for employee development, and our work environment, which includes not only office space but also the technology and equipment available to staff. To address these fundamental needs, the Getty is committed to continually monitoring its programs to ensure their ongoing effectiveness.

Objectives. The Getty's pay system was designed to meet certain key objectives:

- Create a consistent approach to compensation.
- Provide tools and guidelines to administer pay within a range that is appropriate for each position.
- Clearly define jobs and levels.
- Strengthen the link between pay and performance for the participants of the merit program.

Job Description. Jobs are described within a job family. A job family is a group of jobs with comparable functions, having similar responsibilities, duties, and knowledge demands but variations in magnitude of scope, complexity, and skill level. A job family is typically presented in the form of a job chart, a tool used to describe job content and requirements as well as accountabilities and acceptable performance. It is also used for the purpose of market analysis, pay administration, job posting, and communication.

Salary Structures. The Getty developed two distinct approaches to pay: a traditional pay structure and the step structure. Each job within a job family is placed in the appropriate structure based on market data.

Traditional Pay Structure. The majority of Getty jobs are part of a pay structure that assigns jobs to grades. Each grade has a range with a minimum and a maximum rate of pay. This structure aligns grades and ranges with levels within each job chart and represents the range of pay for each job within the job family.

Step Structure. This structure applies to certain hourly jobs in the Operations area. This includes Security Officers, skilled trade jobs, and others.

The step structures are comprised of incremental pay “steps.” Each applicable job chart is assigned to the appropriate step structure. The number of steps typically represents the length of time required to attain job proficiency.

Employees are assigned to a step within the appropriate structure based on their tenure in that job or their “date in grade.” When employees move from one job or job level to the next, their tenure in that new step begins with their new “date in grade.” Generally, employees advance through steps based on length of service and acceptable performance.

How You Are Paid

Pay Periods. Employees are paid every other Friday, one week after the end of the payroll period. Each payroll period consists of two workweeks.

Timekeeping. Timecards are used to ensure accurate recording of hours and accurate calculation of pay for non-exempt employees. You must complete your timecard accurately and personally sign it in ink. You must accurately record the times you begin and end work each day as well as the time you leave and return from your meal breaks. An authorized supervisor must approve and sign your timecard.

Non-exempt employees must use the timecard to record hours worked, approved absences, and other scheduled hours not worked.

Timecards are available at www.getty.edu/staff, from Payroll or your Human Resources Specialist. Any falsification of or failure to provide accurate information on a timecard is grounds for disciplinary action, up to and including termination.

Overtime Pay (Non-exempt Employees Only). Employees may be required to work overtime to meet the operational requirements of their departments, but should not work any overtime without their supervisor's prior authorization. Non-exempt employees will receive overtime pay in accordance with all applicable laws and will be paid even if their overtime work is unauthorized. However, working unauthorized overtime may result in disciplinary action, up to and including termination.

Employees on Schedule 1 are paid overtime for hours worked in excess of those regularly scheduled (8 or 9 hours per workday, depending on the week). Time worked in excess of 12 hours in a workday or in excess of 8 hours on a day on which the employee was not scheduled to work is paid at two times the regular rate of pay. Employees on Schedule 2 are paid overtime for hours worked in excess of 8 hours in a day or 40 in a week. Vacation, holiday, sick, and personal leave time and other exemptions as approved by law are not considered hours worked for the purpose of computing overtime.

Payroll Deductions. Each employee must complete tax-withholding forms (Federal W-4 and state/local forms where applicable). Federal Income Tax, Social Security Tax (FICA), and state or local mandatory taxes (e.g., State Disability Insurance in California) are deducted each pay period. Other deductions that you authorize, such as those for Voluntary Life Insurance, Credit Union, Flexible Spending Account, or the Employee Investment Plan, are also deducted.

It is extremely important to notify Payroll of a change in your withholding status. Forms are available at www.getty.edu/staff and from your Human Resources Specialist. Changes can be processed within 15 business days. Changes cannot be made retroactively. Incomplete or inaccurate information can result in incorrect tax withholdings.

Accurate Pay; Proper Deductions. It is the Getty's policy to pay all of its employees - exempt and non-exempt - in accordance with all applicable laws. The Getty strives to pay employees at the proper rates for the work that they perform and to avoid improper pay deductions. If you believe that there has been an error in your compensation, please report it to your supervisor or Human Resources Specialist, so the matter can be investigated and any error corrected.

Direct Deposit. You may elect to have all or some of your paycheck directly deposited at the financial institution of your choice if it is affiliated with the Federal Reserve System. A *Direct Deposit Authorization* form and a copy of your deposit slip are needed to initiate the process. This form is available from your Human Resources Specialist.

Shift Differential. In departments with 7-day/24-hour operations, non-exempt employees are paid a shift differential for hours worked on certain designated shifts. The times defining the eligible shifts are established based on operational requirements.

Shift differentials will be paid based on the assigned shift; there will be no additional shift differential paid for hours that overlap onto a shift with a higher differential. Overtime for employees who are assigned to an eligible shift is paid at the overtime rate plus the shift differential. Pay for vacation, holiday, personal days, sick days, or other special payments does not include the shift differential.

Pay for Travel Time (Non-exempt Employees Only). If a non-exempt employee is required to attend an out-of-town business meeting, training session, or other work-related event, he or she will be paid for necessary travel time. Travel time does not include hours spent on personal activities such as eating, sleeping, watching television, or sightseeing. Nor does it include travel from the employee's home to the airport if the airport is substantially the same time and distance from the employee's home as his or her routine travel to the Getty.

Emergencies and Closure Pay. The Getty Human Resources Department may issue special instructions on pay during emergencies. Employees may call (800) 899-5506 to determine the status of the Getty Center, Getty Villa or other Getty facility during an emergency. There may be a case when a Getty facility is closed to the public but the closure will not be considered an emergency for staff.

If the Getty or one of its facilities is officially closed to staff due to an emergency, certain essential employees may be required to report to work. If you are a non-exempt employee and you are required to work during the emergency closure, you will normally be paid time and one-half for regular hours and double time for overtime hours. You will not be eligible for this overtime pay provision unless your supervisor specifically requires you to work during the closure.

Pay Guidelines for Special Circumstances

The following pay practices may apply to certain non-exempt employees in order to ensure adequate operational coverage. You will be notified by your supervisor if these practices apply to you.

Call-in*: A situation where a non-exempt employee is asked to voluntarily report to work on a workday on which he or she has not been scheduled to work.

An employee who is called in to work will be paid for the time actually worked or a minimum of four (4) hours, whichever is greater. For example, an employee is guaranteed four hours' pay at the appropriate overtime rate when called in; if he/she works only one hour, the pay for the additional three hours is not considered hours worked and therefore is not included in his/her regular rate and is not credited against overtime pay due.

Call-back*: A situation where an employee ends a regular shift, is released from duty and leaves the worksite, and then is called back to work all or part of a second shift.

An employee, who is called back to work, will be paid for the time actually worked upon return or a minimum guarantee of four (4) hours at the appropriate overtime rate for hours worked. For example, an employee is guaranteed four hours' pay at one and one-half times his/her regular rate when called back after completing his/her shift; if he/she works only one hour, the pay for the additional three hours is not considered hours worked and therefore is not included in his/her regular rate and is not credited against overtime pay due.

** These situations are not scheduled in advance but occur randomly and cannot be anticipated.*

Reporting Pay: A situation where an employee is scheduled and reports to work but is not put to work or is given fewer than half the scheduled hours.

In this situation, the employee is paid at the applicable straight-time or overtime rate for four (4) hours or for half the scheduled hours, whichever is less. The number of hours paid will not be fewer than two. This situation is distinguishable from a call-in or call-back minimum guarantee because reporting-time pay is paid only when an employee is not provided with the expected amount of work on a day he/she has been scheduled to work.

Controlled Stand-by: A situation outside of an employee's regular work schedule in which the employee must be available to report to work if deemed necessary by the appropriate supervisor. If an employee is required to remain on call on the Getty's premises or restricted in such a way that he or she cannot use the time effectively for his/her own purposes, all such time is considered hours worked. These hours are paid at the same rate as hours worked and are covered by the same overtime provisions as hours worked. All hours on controlled stand-by are considered hours worked for the purposes of computing overtime.

Uncontrolled Stand-by: A situation outside of an employee's regular work schedule in which the employee may be contacted wherever he or she may be and asked if he or she is available to report to work. If he/she is sufficiently unrestricted so that the time can be spent predominantly for his/her own purposes, such time is not considered hours worked. Requiring an employee to carry a beeper device through which he/she is on call is considered similar to leaving word about where he/she can be reached and will not interfere with his/her freedom and will not be considered compensable hours worked.

If an employee who is on uncontrolled stand-by is contacted by his or her supervisor and called in to work, the employee will be paid under the call-in guidelines noted above. In addition, the employee will be paid for travel time, including travel time to the Getty and back to his or her home. For example, an employee on uncontrolled stand-by is contacted to come into the Getty. The employee leaves home and drives 15 minutes to the Getty, works for five hours and then drives 15 minutes back home. This employee will receive pay for 5.5 hours of work at the appropriate overtime rate of pay.

Your Benefits

Employment Status and Benefits Summary

As an employee of The J. Paul Getty Trust, you may be eligible for a variety of benefits that can add significant value to your compensation package. Your eligibility for benefits is determined by a combination of employment status and the number of hours you are regularly scheduled to work. Please note that information about your benefits contained in this handbook is necessarily general. Detailed information about benefit programs can be found in individual Summary Plan Description (SPD) booklets or at www.getty.edu/staff. If there is a discrepancy between the handbook or Summary Plan Description and the insurance contracts or plan documents, the contracts or plan documents will govern.

The table below indicates many of the benefits for which each group of employees may be eligible. Specific questions should be referred to benefits staff in the Getty Human Resources Department, or send an e-mail to Benefits@getty.edu.

Status*	Hours	Paid Holidays	Vac/Sck Accr.	Pers. Days	Health Plans	Life/LTD	FSA	EIP Ret.Pl.	Match Gifts
Regular	30+	yes	yes	yes	yes	yes	yes	yes	yes
	20-29	yes	yes	yes	no	no	no	yes	no
	0-19	no	no	no	no	no	no	yes	no
Limited Term ≥ 6 mo.	30+	yes	yes	yes	yes	no	no	yes	no
	20-29	yes	yes	yes	no	no	no	yes	no
	0-19	no	no	no	no	no	no	yes	no
Limited Term <6 mo.	20+	yes	no	no	no	no	no	yes	no
	0-19	no	no	no	no	no	no	yes	no
Temporary	Variable	no	no	no	no	no	no	yes	no

* Status is determined by hours regularly scheduled to work, not actual hours worked.

Paid Holidays

The Getty designates certain days as paid holidays. Only dates identified on the annual “Holiday Schedule,” available at www.getty.edu/staff or from your Human Resources Specialist, are holidays for purposes of holiday pay.

The Getty does not treat all national holidays as paid holidays. If a national holiday falls on a weekend day or off-Friday, it is not a holiday for purposes of holiday pay. When a national holiday falls on a weekend, the Getty may designate another day as a holiday.

Eligibility. Regular and limited-term employees who are regularly scheduled to work at least 20 hours per week are eligible for holiday pay. Other employees are not eligible.

Calculating Holiday Pay. Holiday pay is based on your regularly scheduled hours:

- If a paid holiday falls on a day on which you are regularly scheduled to work, you will be paid the number of regular hours you would have been scheduled to work on that day.
- If a paid holiday falls on your regularly scheduled day off, and you regularly work 76 or more hours per pay period, you will receive 8 or 9 hours of holiday pay, depending on your schedule. If you work fewer than 76 hours per pay period, your holiday pay will be prorated.

Holiday pay is always calculated at your regular rate of pay. It does not include shift differential, overtime, or any other special payments.

If you are a non-exempt employee and are required to work on a Getty paid holiday, you will be paid holiday pay at straight time plus the appropriate hourly rate for the hours worked on the holiday.

Holidays That Are NOT Paid Holidays. If you work on a holiday that is not a paid holiday, you will receive straight pay for the hours you work and any applicable overtime pay, but you will not receive holiday pay.

Paid Holidays During Absence. If a holiday is observed during your approved vacation or paid sick leave, that day will be recorded as paid holiday hours and not deducted from your vacation or sick pay balance. However, if you are on unpaid leave on the day before or after the holiday, you are not eligible for holiday pay. (Revised 8/17/06)

Vacation

The Getty offers employees paid annual vacation benefits. You are encouraged to take advantage of this benefit each year, providing a period of rest and relaxation away from the workplace.

Eligibility. Regular and limited-term employees who regularly work a minimum of 20 hours per week are eligible for vacation benefits.

Accrual. Your vacation hours begin to accrue with your first day of employment and are determined by your employment classification, length of service, and regularly scheduled hours as detailed below. Once you have earned the maximum hours of vacation for your schedule (e.g. 228 hours for 76 hour schedule or 240 hours for 80 hour schedule), you will stop accruing hours until you have used some of your vacation time. At that point, you will begin to accrue vacation hours again. You may be allowed to use up to one week of vacation time in advance of accrual under exceptional circumstances. Contact your Human Resources Specialist regarding such a request.

Exempt Staff are eligible for 151.8 hours of paid vacation each year, accrued at a rate of 5.84 hours per pay period. Your accrual rate is prorated if you are regularly scheduled to work fewer than 76 hours per pay period.

Non-exempt Staff who work 36 to 40 hours per week accrue vacation according to the schedule in the following table. If you are regularly scheduled to work fewer than 76 hours per pay period, your vacation hours are prorated accordingly.

Years of Service	76 Hours Schedule		80 Hours Schedule	
	Accrual Rate per Bi-weekly Pay Period	Hours of Vacation Earned in One Year	Accrual Rate per Bi-weekly Pay Period	Hours of Vacation Earned in One Year
Up to 5 years	2.93 hours	76	3.08 hours	80
At completion of 5 years but fewer than 10 years	4.39 hours*	114	4.62 hours*	120
At completion of 10 years	5.84 hours*	152	6.15 hours*	160

* Rate of accrual changes on the first pay period of the 6th and 11th years. (Revised 3/12/09)

Vacation Pay. Vacation pay is based on your regular rate of pay. It does not include overtime, shift differential, or any other special payments. Vacation hours are not considered as hours worked for purposes of computing overtime. Also, because the purpose of paid vacation is to provide time away from work, you may not elect to receive pay instead of paid time off. Unused vacation hours are paid at termination but may not be used to extend the date of termination. Your last day of work may not be a vacation day. If you become ill or are injured while on vacation, your supervisor may approve sick pay in lieu of vacation pay if satisfactory medical verification is provided.

Vacation Scheduling. You must submit a written request for vacation time off to your supervisor, according to the procedures and requirements of your department. Your supervisor will review operational requirements and approve or deny your request accordingly.

In some departments, employees may be required to schedule vacations up to one year in advance. Check with your supervisor regarding specific procedures and requirements for your department.

With supervisor approval, non-exempt employees may take vacation in half-day or full-day increments. Exempt employees must take vacation in full-day increments only.

Effect of Employment Status Change on Vacation Accrual. If you move from a non-exempt position to an exempt position or vice versa, the new rate of accrual will be effective with your change in status, usually on the first day of the pay period after your promotion.

Personal Days

The Getty recognizes that there will be occasions when you may need time for personal or family business or special religious observances.

Eligibility. Regular and limited-term employees who are regularly scheduled to work a minimum of 20 hours per week are eligible to receive paid personal time off according to the following schedule.

Accrual. Your personal time begins to accrue with your first day of employment and is determined by your employment classification, length of service, and regularly scheduled hours. You will accrue 0.65 hours of personal time per pay period. The maximum you can accrue is 17 hours.

Pay for Personal Days. Personal Day pay is based on your regular rate of pay. It does not include overtime, shift differential, or any other special payments, nor is it considered time worked for purposes of computing overtime. Unused personal hours are paid at termination but may not be used to extend the date of termination. Your last day of work may not be a personal day.

Scheduling Personal Days. You must submit a request for a personal day off to your supervisor, in writing and in advance, according to the procedures and requirements of your department. Your supervisor will review operational requirements and approve or deny your request accordingly. With supervisor approval, personal days may be taken together with vacation time or a holiday.

With supervisor approval, non-exempt employees may take personal days in hourly increments. Exempt employees must take personal days in full-day increments only.

Income Protection

Sick Pay

The Getty provides paid time off for an employee's illness or injury or, subject to certain limits, for an employee to care for a child, parent, or spouse/eligible domestic partner with an illness or injury.

Eligibility. Regular and limited-term employees who are regularly scheduled for at least 20 hours per week are eligible for sick pay.

Accrual. Benefits accrue from the first day of work but may not be used until you have completed 90 days of employment except with the approval of your supervisor.

Full-time employees accrue hours of sick time per pay period up to a maximum number of hours based on the hours regularly scheduled to work per pay period as shown in the chart below. Your accrual rate and the maximum number of hours you can accrue are prorated if you work fewer than 76 hours per pay period. If you accrue the maximum number of hours, you stop accruing sick time until your accrual balance falls below the maximum.

	Accrual Rate per Bi-weekly Pay Period	Sick Time Earned per Year	Maximum Hours of Sick Time
76 Hours Schedule	4.39 hours	114.14 hours	988
80 Hours Schedule	4.42 hours	115 hours	1000

When you are on an approved leave of absence, you will stop accruing sick time after your last day worked. Your benefits begin to accrue again when you return to work. Unused sick pay benefits are not paid out under any circumstances.

Use of Sick Pay. For non-exempt employees, any medically related absence of 1/4 hour or more will be charged against sick time. Exempt employees generally are charged for sick time in full-day increments. Unused sick pay may not extend the date of termination. You may use up to half of your *annual* accrued sick leave per year to care for your child, parent, or spouse/eligible domestic partner with an illness or injury as defined by California law.

Notification of Absence. You must notify your supervisor directly of any absence as soon as possible and before the start of the scheduled workday. Some departments may have more specific notification requirements. This applies to each day of absence unless the Getty has approved an extended absence in advance.

Medical Certification. You may be required to furnish a medical certification of illness or injury or other related evidence acceptable to the Getty. The Getty reserves the right to question such certification and to require additional proof of illness or injury when appropriate. Failure to provide satisfactory medical certification when requested may jeopardize your leave status and thus lead to termination of your employment. You may also be required to furnish an attending physician's statement authorizing your return to work after an illness or injury. If there are

restrictions on your return to work, your physician must provide specific information regarding the nature and duration of those restrictions before you return to work so that the Getty can evaluate whether it can provide the requested or alternative accommodations.

Long-Term Disability Plan

Regular, full-time employees are covered by a Long-Term Disability plan. If you become fully or partially disabled, this plan may continue a portion of your salary after a six-month waiting period. Benefits are reduced by payments from other sources, such as workers' compensation and SDI. Contact your Human Resources Specialist or see your Summary Plan Description at www.getty.edu/staff for details.

Leaves of Absence – Personal, Medical and Family-Related Leaves

From time to time, situations occur that necessitate an employee's absence from work for an extended period. The Getty has established the following leave policies to ensure that it administers leaves fairly and equitably for eligible employees. When a long-term illness or injury requires extended absence, the Getty may provide leave beyond what is legally required to permit employees to return to work. Employees who are unable to return to work may be eligible for benefits under the Long-Term Disability plan. See the Summary Plan Description (SPD) for details or contact Human Resources Benefits for additional information.

Under the Family and Medical Leave Act (FMLA), the California Family Rights Act (CFRA), the California Pregnancy Disability Leave Law, and the California Military Spouse Leave Law, employees may be entitled to leaves of absence. Under the Getty's Supplemental Medical Leave and Personal Leave Policies, the Getty may voluntarily permit continued leaves of absence under appropriate circumstances.

All of these leaves are unpaid unless the employee has applicable accrued leave or state programs provide subsidies. The California Workers' Compensation, State Disability Insurance (SDI) and Family Temporary Disability Insurance (FTDI) programs may, under certain circumstances, provide employees with partial salary replacement during periods of leave, but these statutes typically do not give employees the right to take additional leaves of absence.

Leaves of absence and related compensation programs are described briefly in the following pages. For more information or for leave request or medical certification forms, contact your Human Resources Specialist or visit Life Events at www.getty.edu/staff. (*Revised 3/12/09*)

Family and Medical Leave

The Getty provides Family and Medical Leave in compliance with FMLA, CFRA, and any other applicable state law equivalent. Under the Getty's FMLA policy, an eligible employee may request up to 12 workweeks of leave in a rolling 12-month period for the employee's own serious health condition; to care for or bond with the employee's child after birth, adoption, or foster care placement; or to care for the employee's spouse/eligible domestic partner, child, or parent with a serious health condition. Under the Military Caregiver guidelines this leave may extend up to 26 weeks in a single 12-month period for an employee to care for a spouse, son, daughter, parent or next of kin who is a covered military service member with a serious illness or injury incurred in the line of duty on active duty. Next of kin is defined as the closest blood relative of the injured or recovering service member.

Qualifying exigency leave is available for families of members of the National Guard and Reserves. An employee whose spouse, son, daughter or parent either has been notified of an impending call or ordered to active military duty or who is already on active duty may take up to 12 weeks of unpaid leave for reasons related to or affected by the family member's call-up or service. The leave may commence as soon as the individual receives the call-up notice.

Qualifying Exigencies Include: Short-notice deployment, military events and related activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, and post-deployment activities.

When you apply for FMLA leave, the amount of FMLA leave you have taken during the past 12 months will be calculated to determine how much FMLA leave time you have available. Leave time is prorated for employees who work fewer than 76 hours per pay period.

Eligibility. To qualify for FMLA leave, you must: (1) have been employed by the Getty for at least 12 months and; (2) have worked at least 1,250 hours (about 25 hours a week) during the past 12 months before the leave begins. When both married parents are employed by the Getty and are eligible for FMLA/CFRA leave, the leave will be limited to a combined total of 12 weeks during any 12-month period when taken for the birth of a child, the placement of a child for adoption or foster care, or the illness of a child or a combined total of 26 weeks when the leave is taken to care for a covered injured or ill service member.

Definition of Serious Health Condition. A serious health condition means an illness, injury, impairment, or physical or mental condition that involves: (1) any period of incapacity or treatment involving inpatient care in a hospital, hospice, or residential mental care facility; (2) any period of incapacity requiring absence from work, school, or other regular daily activities of more than three calendar days that also involves continuing treatment by a physician with the first visit to a health care provider occurring within seven days of the onset of the incapacity; or (3) continuing treatment (at least twice a year) by a physician for prenatal care or for a chronic or long-term health condition that is incurable or so serious that, if not treated, would likely result in an incapacity of more than three calendar days.

Intermittent or Reduced Work Schedule. Family and Medical Leave for the serious health condition of an immediate family member or the employee may be taken intermittently or on a reduced work schedule. Unless otherwise required by law, intermittent leaves will be counted in increments of one-quarter hour or more and pay will be adjusted accordingly. Family and Medical Leave for the birth, adoption, or foster care placement of a child may be taken only within 12 months of the birth, adoption or foster care placement and only in two-week intervals except for up to two occasions for intervals of fewer than two weeks, unless the Getty consents otherwise.

See "Procedures for All Personal, Medical and Family-Related Leaves" and "Pay and Benefits" below. (Revised 3/12/09)

Pregnancy-Related Disability Leave

An employee who is unable to work because of pregnancy, childbirth, or related medical conditions will be granted, upon approval, up to four months of unpaid leave, as needed, for the

period(s) of time she is actually disabled by pregnancy, childbirth, or related medical conditions. Leave time is prorated for employees who work fewer than 76 hours per pay period.

Eligibility. Female employees are eligible for pregnancy-related disability leave from the first day of employment.

Definition of Pregnancy-Related Disability. An employee is disabled by pregnancy, childbirth, or a related medical condition if, in the opinion of the employee's health care provider, she cannot work at all or cannot perform one or more of the essential functions of the job without undue risk to herself, to the successful completion of her pregnancy, or to other persons. An employee also is disabled if she is suffering from severe morning sickness or if she needs to take time off for prenatal care.

Duration of Pregnancy-Related Disability Leave. An eligible employee may take up to four months of unpaid leave for pregnancy-related disability in connection with any one pregnancy. Pregnancy-Related Disability Leave does not need to be taken in one continuous period of time, but can be taken intermittently on an as-needed basis. Unless otherwise required by law, intermittent leaves will be counted in increments of one-quarter hour or more, and pay will be adjusted accordingly.

Temporary Transfer. A pregnant employee may request a transfer to an available less strenuous or hazardous position for the duration of her disability. The employee must provide certification from her physician that a transfer is medically advisable, the date on which the transfer became advisable, and the probable duration that the transfer is needed. The Getty will transfer the employee if it can reasonably accommodate the transfer.

Additional Newborn Care Leave. An employee who has taken Pregnancy Disability Leave and is no longer disabled by pregnancy or has exhausted available Pregnancy-Related Disability Leave is, if eligible for CFRA leave, entitled to additional leave of up to 12 workweeks to care for her newborn child in accordance with CFRA. This newborn care leave must be completed within one year of the child's birth.

Employees who are not eligible for FMLA/CFRA leave are limited to a maximum of four months for their pregnancy-related disability and are not entitled to leave for newborn care under this policy.

See "Procedures for All Personal, Medical and Family-Related Leaves" and "Pay and Benefits" below. (Revised 2/11/09)

Supplemental Leave

If an employee exhausts the Family and Medical Leave and/or Pregnancy-Related Disability to which he or she is entitled, the employee may request a supplemental leave. Supplemental leaves may be granted at the sole and absolute discretion of management and must be approved by the employee's supervisor and Human Resources. Generally, the Getty will not approve any supplemental leave that results in an employee's combined absence from work for more than 6 months. The Getty does not grant indefinite leaves of absence.

See "Procedures for All Personal, Medical and Family-Related Leaves" and "Pay and Benefits."

Personal Leave

A personal leave is an absence of more than five days for a reason not covered by the above leaves of absence. The granting of a personal leave depends on a variety of operational and other considerations, is not guaranteed, and is subject to advance supervisor approval and consultation with Human Resources management. Regular employees who are regularly scheduled to work at least 30 hours per week are eligible to apply for a personal leave of absence. Temporary and limited-term employees are not eligible for personal leave. An eligible employee with two or more years of service may be granted a leave for up to six months. An eligible employee with fewer than two years of service may be granted a leave for up to three months.

See “Procedures for All Personal, Medical and Family-Related Leaves” and “Pay and Benefits.”

Inactive Status

An employee who has been on an approved leave of absence (or combination of leaves of absence) for a total of six months (over a rolling 12-month period measured backwards from the date an employee uses leave) shall, if he or she has a continuing need for leave and intends to return to work at the Getty, be placed on inactive status.

An employee who is ineligible for protected leave time and has been on a Personal leave for a total of three months, shall, if he or she has a continuing need for leave and intends to return to work at the Getty, be placed on inactive status.

Inactive status is unpaid. An inactive employee's accrued and unused sick, vacation and/or personal hours will be maintained and made available when he or she returns to work. If an employee who has been placed on inactive status does not return to work at the Getty, he or she will be paid for any accrued and unused vacation and/or personal hours upon separation of employment.

An inactive employee who wishes to return to work at the Getty must advise Human Resources and provide a "fitness-for-duty" report from a physician at least one week prior to his or her proposed return to work. If the employee's position is still available and the employee is qualified to perform it, the employee will normally be returned to that position. If the employee's position is no longer available, the employee may apply for any other available position for which he or she is qualified.

See “Procedures for All Personal, Medical and Family-Related Leaves” and “Pay and Benefits” below.

Procedures for All Personal, Medical and Family-Related Leaves

Requesting Leave. If the need for a leave is foreseeable, you must give your supervisor at least 30 days advance written notice or as much notice as possible. If you are unable to report to work because of an unexpected illness or emergency, your supervisor must be notified directly before the start of your scheduled work time.

You must complete a *Request for Leave of Absence* form and have it approved by your supervisor and Human Resources Specialist prior to the beginning of the leave or as soon as possible thereafter. If your absence is expected to extend beyond the approved time period, you must notify your supervisor in writing and apply for an extension before the leave expires.

You must complete a *Military Kin Leave Request* form as well as provide proof of the qualifying family member's call-up or active military service when requesting a qualifying exigency leave.

The Getty requires documentation sufficient at its discretion to justify the employee's need for Supplemental or Personal leave.

Medical Certification. When an employee seeks a leave for the serious health condition of the employee or family member, the employee must submit certification by a physician (1) that the employee or family member has a serious health condition meeting the requirements of the FMLA/CFRA; (2) the date on which the condition started or will start; and (3) the probable duration of the condition; and (4) if caring for a family member, the times or regimen the employee is needed to provide care.

When an employee seeks a leave to care for an ill or injured covered service member, the employee must provide certification by an appropriate DOD, VA or Tricare health care provider of the family member or next-of-kin's injury, recovery or need for care. When an employee seeks a Pregnancy-Related Disability Leave, the employee must submit certification by a physician that (1) the employee is or will be disabled by pregnancy, childbirth, or a related medical condition; (2) the date on which the disability started or will start; and (3) the probable duration of the disability. Recertification will be required if the original estimate of the period of the leave expires and may be requested in other circumstances.

The Getty also may request additional information certifying the need for the leave. Under certain circumstances, the Getty may select and pay another physician to furnish a second or third opinion as to an employee's own serious health condition.

Contact your Human Resources Specialist for more information or to obtain a *Medical Certification* form. Information and forms are also available at www.getty.edu/staff.

During the Leave. During a leave, you must inform your supervisor at least once a month of your status and your intention to return to work. You also must inform your supervisor of your intention to return to work at least one week before the end of your leave.

Return to Work. In most cases, an employee who takes FMLA, CFRA or Pregnancy-Related Disability Leave will be able to return to his or her previous position or to an equivalent position at the end of the leave. If an employee's job is eliminated for reasons unconnected to the leave, the employee's leave may be terminated and the employee will have no right to reinstatement.

The Getty cannot guarantee that an employee who takes Supplemental Leave or Personal Leave will be reinstated to his or her previous position or that any job will be available to the employee during or after a Supplemental or Personal Leave. If the employee returns from leave on or before the expiration of an approved leave which was for the employee's own condition or disability and the employee presents a "fitness-for-duty" report from a physician, the employee will be returned to his or her position if it is still available at that time. If the employee's position is not available, the employee may apply for any other available position for which he or she is

qualified. If an employee does not report to work on the first working day immediately following the leave (or obtain specific authorization to delay return), the Getty will assume that the employee has voluntarily resigned.

Medical Release for Return to Work. If an employee takes leave for his or her own serious health condition or for her pregnancy-related disability, the employee must obtain and present a “fitness-for-duty” report from a physician before returning to work. If there are restrictions on your return to work, your physician should provide information regarding the nature and duration of those restrictions sufficient to permit the Getty to determine, in advance of your return, whether any accommodation is required and to assess alternative potential accommodations.

Please see “Workplace Accommodations for Employees with Disabilities.”

Failure to Follow Procedures. Employees seeking leave, on leave, and seeking to return from leave must comply with the procedures above. Failure to comply with these procedures may result in the delay or denial of a leave, denial of the extension of a leave, delay of return to work, delay or denial of requested accommodations, and/or termination of employment. *(Revised 2/11/09)*

Pay and Benefits for All Personal, Medical and Family-Related Leaves

Pay. All Personal, Medical and Family-related leaves are unpaid except to the extent that the employee has accrued applicable vacation, personal or sick time. Employees who have accrued vacation, personal or sick hours are required to use those hours as appropriate, except for pregnancy disability leave where employees are only required to use accrued sick time. Where applicable, employees may also receive payments under California Workers’ Compensation, State Disability Insurance (SDI) or Paid Family Leave (PFL) programs. The use of paid leave time, SDI or PFL does not extend the leave time available to an employee; it results only in compensation for what would otherwise be unpaid leave time.

Vacation, Personal and Sick Time. Employees on leave of absence do not accrue additional vacation, personal, or sick time. These benefits begin to accrue again when you return to work. Employees approved to work reduced work schedules may be placed on part-time status and leave accruals adjusted accordingly.

Paid Holidays. You will not receive holiday pay if the holiday is preceded or followed by an unpaid leave day.

Health, Life, and Accidental Death and Dismemberment (AD&D) Insurance. Getty group insurance continues throughout approved leaves of absence. Employee contributions toward this coverage continue to be deducted from gross pay, but employees on unpaid leave of absence must pay the required contribution *on time* in order to continue that coverage. Failure to make these payments may result in termination of insurance coverage. An employee who does not return to the Getty at the end of an approved leave for any reason or who terminates employment within 2 pay periods after returning to work is required to reimburse the Getty for the portion of insurance premiums paid for them by the Getty during any unpaid leave.

Flexible Spending Account and Employee Investment Plan. FSA and EIP deductions continue as long as you receive a paycheck from the Getty. If you are on an unpaid leave, your

participation in these plans will be affected. For information, contact Human Resources Benefits by e-mail at Benefits@getty.edu or call extension 6523. (Revised 2/11/09)

State Disability Insurance (SDI)

If you must take time off because you have a non-work-related illness or injury, you may be eligible for State Disability Insurance (SDI) payments from the State Disability Insurance Program. SDI benefits provide partial wage replacement during periods of absence but do not provide the right to any leave in addition to that for which you are otherwise eligible.

SDI benefits are subject to a one-week waiting period. Employees who have provided necessary medical certification must use accrued sick leave (or vacation time) before receiving SDI benefits.

Whenever an employee requests a leave for a non-work-related illness or injury requiring absence, the Getty will assume that the employee is applying for SDI benefits and, upon receipt of medical certification, apply available sick time to the leave. If an employee is on an approved leave other than a pregnancy disability leave, the Getty will also apply vacation or personal time to supplement SDI benefits. If you are taking a pregnancy disability leave and want vacation or personal time applied, you must notify your Human Resources Specialist in writing. If you are eligible for SDI but fail to apply, you will receive only the sick pay benefits that you would have received if you had collected SDI benefits.

You may obtain SDI forms from your Human Resources Specialist, who can also provide additional information or assistance with completing the paperwork.

Family Temporary Disability Insurance (FTDI)

If you take time off (a) to care for a seriously ill child, spouse/eligible domestic partner, or parent, or (b) to bond with a new child due to birth, adoption or foster care placement, you may be eligible for up to six weeks of Family Temporary Disability Insurance (FTDI) payments from the State Disability Insurance Program. FTDI benefits, often referred to as “Paid Family Leave” benefits, provide partial wage replacement during periods of absence but do *not* provide the right to any leave in addition to that for which you are otherwise eligible.

Employees applying for FTDI must use available vacation time, up to a total of two weeks, before receiving FTDI benefits. Even if an employee has no available vacation time, FTDI benefits are subject to a one-week waiting period. An employee on an appropriate approved leave may, if he or she wishes, use available dependent sick leave (see “*Sick Pay*”) to care for a sick dependent *before* using the two weeks of vacation time, but must still make use of available vacation time, up to two weeks, before he or she begins to receive FTDI benefits. Sick dependent time is not available when the reason for a leave is to bond with a new child.

Whenever an employee requests a leave to care for a seriously ill child, spouse/eligible domestic partner, or parent, or to bond with a new child due to birth, adoption or foster care placement, the Getty will assume that the employee is applying for FTDI benefits and, upon receipt of proper certification, apply available vacation and personal time to the leave. Once an employee on an approved leave becomes eligible for FTDI benefits, the Getty will supplement them with any accrued vacation and personal time, unless the employee asks that this not be done. If you wish to use available sick dependent days first, you must tell your Human Resources Specialist. You must also tell your Human Resources Specialist if you do not want accrued vacation or personal

time applied to supplement your FTDI benefits. If you are eligible for FTDI but fail to apply, you will receive only the vacation pay benefits that you would have received if you had collected FTDI benefits.

You may obtain FTDI forms from your Human Resources Specialist, who can also provide additional information or assistance with completing the paperwork.

Workers' Compensation

If you are injured at work, report it immediately to your supervisor, regardless of how minor the injuries. You may obtain workers' compensation forms from the Risk Management Department or your program's workers' compensation coordinator. The Risk Management Department can also provide additional information or assistance with completing the paperwork.

If you are injured on the job and cannot return to work due to the injury, you may be eligible to receive regular pay (not charged against your sick pay benefits) for the first three full days of absence. After that, you may be eligible to receive workers' compensation benefits as approved by the insurance carrier. If you are hospitalized due to an on-the-job injury or illness and are eligible to receive workers' compensation benefits, these benefits will begin on the first day of hospitalization.

To request that vacation, personal days, or sick pay be used to make up the difference between workers' compensation benefits and your regular pay, you must submit the form *Request to Use Vacation or Sick Days to Supplement Workers' Compensation Benefits*. This form may be obtained from your Human Resources Specialist, Risk Management, or at www.getty.edu/staff. Any other leaves for which you may be eligible, such as FMLA, run concurrently with workers' compensation leave. See the "Leaves of Absence" section for information about the length of a leave.

Workers' compensation fraud is a felony. The Getty will not tolerate workers' compensation fraud. Any employee found guilty of such conduct may be subject to fines, imprisonment, and of course, termination.

Other Leaves of Absence

Military Leave

The Getty supports service by employees in the military reserves and National Guard in accordance with the provisions of applicable federal and state laws.

Eligibility. All employees are eligible for a leave of absence to fulfill reserve or National Guard obligations.

Duration. The length of a military leave is based on official orders, allowing sufficient travel time. In most cases, a member of the reserves or National Guard must report for a two-week annual training period and one weekend per month.

Request for a Military Leave. You are expected to give timely notice of all regularly scheduled training and other military obligations. To apply for a military leave, obtain a *Leave of Absence Request* form from your Human Resources Specialist or at www.getty.edu/staff. Complete the

form and attach a copy of your military orders, if available, or a written confirmation of your military service commitment from your commanding officer. If neither is available, you should provide an appropriate military telephone contact so that the leave dates can be officially verified.

Pay During the Leave. For the first 15 working days of military leave per year (in a rolling 12-month period,) the Getty will pay the difference between your regular pay and your military pay after you submit a copy of your military pay voucher.

Employees directed to participate in extended military duties that exceed the two-week training period will be placed on Military Leave. If you are called to active duty, the Getty will pay the difference between your regular pay and your military pay for a combined period of 30 days after you submit a copy of your military pay voucher. After that, you will be placed on unpaid military leave.

Benefits. You will accrue vacation, personal and sick pay and your group insurance benefits will continue during your reserve and National Guard obligations except when this obligation exceeds the two-week period. If you are directed to participate in extended military duties that exceed the two-week period, you should contact Human Resources Benefits for information about health care coverage continuation for you and your dependents.

Return to Work. In most cases, you will be returned to your regular job following a reserve or National Guard military obligation. If there is a general call-up, the Getty will comply with all legal requirements regarding reinstatement. Please contact your Human Resources Specialist for further information. *(Revised 2/11/09)*

Leave for Families of Those Serving in the Military

Employees who have a spouse in the military may be eligible for up to ten days of unpaid time off when that person is on leave from active deployment during a period of military conflict if the employee is ineligible for the FMLA Military Leave provisions. Eligible employees may apply available vacation or personal leave to such absences. Taking a Leave of Absence may have an effect on your benefits. See the Staff Handbook for more information.

Eligibility. Full-time and part-time regular employees regularly scheduled to work a minimum of 20 hours per week are eligible.

Request for a Military Spouse Leave. To request time off under this policy, you must notify your supervisor about your intent to take time off within two business days of receiving official notice about your spouse's leave. You should complete a *Military Family/Spouse Leave Request* form and submit documents to certify that your spouse will be on leave from deployment during the period of time off requested. *(Revised 3/12/09)*

Jury and Witness Duty

The Getty considers participation in our judicial system to be a responsibility of good citizenship. We encourage you to serve when summoned.

Jury Duty Eligibility. Full-time and part-time regular employees may receive paid time off for jury duty. Limited-term employees may receive paid time off for a maximum of 15 days. Temporary employees may receive unpaid time off.

Witness Duty Eligibility and Pay. Full-time and part-time regular employees may receive paid time off when required to serve as a witness, but not as the party, in a court action for a maximum of 15 days. Limited-term and temporary employees may receive unpaid time off.

Request for a Leave and Pay While on Jury Duty. To request time off, you must submit a copy of the court summons to your supervisor. If you are excused from court, you should return to work if you will be able to work at least two hours. Once your jury or witness duty is completed, you must submit to your supervisor documentation from the court verifying the time spent in court. You may keep any remittance from the court such as travel allowance or per diem pay. Pay while on jury duty does not include overtime, shift differential, or any other special payments.

Assistance for Victims of Domestic Violence, Sexual Assault & Certain Other Felonies

An employee who is the victim of domestic violence or sexual assault will be given time off to obtain related medical attention or counseling, to seek court relief, or to obtain other assistance to help ensure the employee's health, safety, or welfare. Employees must provide their supervisors with reasonable advance notice of the need for such time off, unless advance notice is not feasible. Employees also must provide satisfactory documentation, such as a court order or physician's note, of the need for such leave to their supervisors or Human Resources.

An employee who is the victim of a violent or serious felony or one involving theft or embezzlement, or whose immediate family member is the victim of such a felony, will be given time off to attend judicial proceedings related to that crime. Employees should provide their supervisors with reasonable advance notice, normally in the form of a court notice of the hearing, unless advance notice is not feasible. Employees must also provide satisfactory documentation of the need for such leave to their supervisors or Human Resources.

Affected employees may apply available vacation or personal leave to such absences. Under appropriate circumstances, sick pay or dependent sick pay may also be applied.

Time Off for Voting

If circumstances prevent you from voting during non-working hours, you may be given up to two hours paid time off to vote. However, you must give your supervisor at least two workdays' notice in order to receive approval. You must give your supervisor a copy of your ballot stub when you return to work in order to receive paid time off.

Bereavement Leave

If a relative dies, you may request time off with pay for up to five days. Temporary employees may be granted unpaid time off in these instances. You may be asked to provide verification for your request. A relative is defined as a spouse/eligible domestic partner, parent, in-law, child, brother, sister, grandparent, or any person living in the employee's household. *(Revised 2/11/09)*

Sabbatical Leave Policy

This program became effective January 1, 2003 and replaced and superseded all previous leave practices and programs, which were known as the professional leave, sabbatical leave and study and renewal programs.

Purpose. The Getty's sabbatical leave program is intended to encourage and support scholarly work that directly benefits the fields the Getty serves. Leaves are expected to focus on work in areas that directly contribute to the Getty's core program goals. Participation in this program is expected to enrich the participant, the Getty and the fields the Getty serves.

Policy. A sabbatical leave of absence is generally a fully paid leave approved for a specified duration. Generally, a leave is approved for a period of one to three months. In unusual circumstances with the approval of the President, a leave may exceed three months.

Eligibility. A sabbatical leave is approved and provided solely at the discretion of the Getty. It is not an entitlement to employees or an obligation of the Getty. To be eligible to apply for a sabbatical leave, an individual must be a full-time employee in good standing who holds a scholarly, academic-related position. In addition, prior to the start of a sabbatical leave, the employee must have completed five years of continuous service or five years of continuous service since completing the last leave. The President, at his/her sole discretion, may from time to time grant a sabbatical leave to an individual for a specialized project or course of study.

Conditions. Leaves must be approved in advance *and may be taken only if adequate funds are available and operational conditions permit.*

It is expected that an employee, who takes a sabbatical leave, will return to work at the Getty for a period at least equal to the period of the leave. When a sabbatical leave is completed, the employee can generally expect to return to the position he or she occupied when the leave began. In certain circumstances, it may be determined and communicated in advance of the leave that such a guarantee is not possible or appropriate.

There is no guarantee that reimbursement for expenses related to a sabbatical leave will be approved. Any expenses eligible for reimbursement must be agreed to in writing in advance of the leave and comply with the Getty's reimbursement policy and procedures.

Within two months of completion of a leave or a portion of a sabbatical leave, an employee may be asked to submit a written report to the program director describing the work accomplished. The employee may also be required to make a presentation and/or complete an assignment related to the work accomplished during the leave.

Applications and Approval. Eligible employees may apply for sabbatical leaves of absence according to the guidelines stated below. If funds are requested for partial or full reimbursement of expenses, a detailed outline of any expenses proposed for reimbursement (e.g., travel, tuition, fees, books, research materials, etc.) must be included with the application.

Approval of reimbursement is not guaranteed, and an employee may be required to pay part or all of the expenses related to a sabbatical leave. Expenses that have been approved in advance are reimbursed only when properly documented and submitted according to Getty policy.

An individual who wishes to apply for a sabbatical leave must submit an application to his or her supervisor according to the time period set by their program. Once approved by the supervisor, the program administrative department and the director will review the application. After approval by program administration and the director, the request will be reviewed by Human

Resources for consistency and compliance with Getty policy. Finally, the President reviews and may approve the application based on the merits of the request.

Although most sabbaticals should be planned and budgeted for in advance, there may be situations such as grant opportunities, optimum periods for research, and unexpected invitations that call for unplanned sabbaticals.

An eligible employee who wishes to apply for a sabbatical leave must prepare and submit a written application that includes:

- a statement of the objectives of the sabbatical, a detailed description of the proposed research or sabbatical project to be undertaken, and a discussion of how it relates to the development needs of the applicant and how it will enrich the Getty and the fields the Getty serves.
- an explanation of the total time requested for the sabbatical and the time increments, if applicable.
- a detailed outline of expenses, if reimbursement is being requested.
- a statement of the probable impact on the employee's area of responsibility.

Pay and Benefits. During a sabbatical leave, an employee normally receives full salary and group insurance benefits, but does not accrue additional sick, vacation or personal leave. An employee on sabbatical leave during the annual merit program (July 1 of each year) is not eligible to receive a merit increase until he/she returns from the leave. Sabbatical leave is not considered to be compensation for work performed and it does not accrue or vest during the course of employment.

Community Service Mission and Request for Leave

The Community Service Team cultivates new ideas for building our community within the Getty and serving the greater Los Angeles community. We are fueled by the ambition to raise awareness of community service projects at the Getty and encourage staff involvement in new endeavors.

An eligible employee may request a leave to work full-time at a non-profit institution. The institution may be of any size and must be engaged in charitable activities. Up to three fully paid leaves per year may be awarded Getty-wide for a period of up to three months each. All full-time regular employees in good standing are eligible to apply. Contact your Human Resources Specialist for details and an application.

Family/School Time Off

Any employee of the Getty who is a parent, guardian, or grandparent with custody of a child in kindergarten or grades 1 to 12 is entitled to take up to 40 hours off each school year to participate in activities of the child's school. You must give reasonable notice of the absence and obtain your supervisor's advance approval. You may not take more than one workday off in any calendar month of the school year for this purpose. If the Getty employs both parents, the parent who first requests an absence will be allowed to take the time off. You may be required to furnish documentation of your participation from the school. Time off for this purpose is unpaid unless you choose to use vacation or personal days.

Other Benefits

Credit Union and Bank Discounts

You are eligible to join the University Credit Union at the University of California, Los Angeles if you are a full-time, regular or limited-term employee. You may authorize payroll deductions for either or both savings and loan payments to the Credit Union. Direct deposit of your paycheck is also available. For more information, log onto <http://ucu.org>, contact Human Resources Benefits via e-mail at Benefits@getty.edu or call extension 6523, or call the Credit Union directly at (310) 477-6628 x2215. (Revised 6/5/08)

Educational Assistance

The Getty encourages and supports the continuing education of its employees in order to increase their expertise and their effectiveness. Such study must be through an accredited college or university and must be related to your job and/or your professional development at the Getty. This policy does not apply to seminars and workshops, private training programs, long-term training in residence, or in-house training. Those types of programs can be approved as business expenses at the discretion of the Director.

Eligibility. Regular employees who have worked at least 1,000 hours during the past 12 months are eligible to apply for educational assistance benefits. Limited-term employees with contracts of 18 months or longer are also eligible for this benefit if they meet the requirement of 1,000 hours in the preceding 12 months.

Covered Expenses. Reimbursable expenses are: tuition and fees required for entering the course and textbooks required to be read as part of the course.

Expenses that cannot be reimbursed include: student body membership dues, non-mandatory fees, standard supplies (paper, pencils, etc.), parking, transportation, or any tools or supplies (other than textbooks) that may be retained after completion of the course.

Application. Your *Educational Assistance Application* must be submitted and approved in writing by your supervisor and administrative office prior to the beginning of the course. Approval is not automatic. The decision is within the sole discretion of the Getty and may be based on such criteria as the relevance of the course to your work, your professional development, cost and quality of the proposed course work, and your work performance. A whole course of study, such as a master's degree or special certificate program, may be approved on a year-to-year basis, contingent on successful completion of course work and acceptable performance on the job. Further information and application forms are available from your Human Resources Specialist.

Reimbursement. There is an annual educational assistance reimbursement limit per calendar year of \$2,000 for undergraduate study and \$3,000 for graduate study for full-time employees. Eligible part-time employees may receive 50% of the reimbursement limits established for full-time employees.

Fifty percent (50%) of all reimbursable fees will be paid upon presentation of receipts. The remaining 50% will be paid after proof of satisfactory completion of the course while employed by the Getty. "Satisfactory completion" of the course means a grade of "C" or better, or a

passing grade in a Pass/Fail course. Audited classes require signed verification of your attendance in at least 90% of the sessions held.

If reimbursable costs are paid to you prior to the completion of the course, these funds will be considered a cash advance. You must sign a *Cash Advance Agreement* before this advance is paid to you. Pursuant to that agreement, if you do not complete the course or do not complete it satisfactorily, you must repay the amount advanced. If your employment terminates for any reason before you have completed the course, the full amount of the advance will be reconciled into your final paycheck.

Matching Employee Gifts Program

The Matching Employee Gifts Program is designed to further the Getty's charitable mission by supporting employees' personal gifts to qualifying charities. Through the Employee Matching Gifts Program, the Getty will match one dollar for each dollar of an eligible employee contribution to an eligible charity. A list of eligible charities is available at www.getty.edu/staff/forms/eligible_match.pdf. Full-time, regular employees who are employed at the time the donation is made are eligible to participate in the program.

The Getty Foundation administers this program. For information about eligible charities and procedures for obtaining matching gifts, the forms are available at www.getty.edu/staff. You may also obtain an *Employee Matching Gifts Form* from Grants Administration in the Getty Foundation. (*Revised 8/6/08*)

Lactation Room

The Getty recognizes the numerous health benefits of breastfeeding both to infants and mothers. Making the transition back to the workplace after the birth of a baby can be a difficult time for nursing mothers. The Getty wants to provide an environment that supports and encourages a mother's right to breastfeed and express breast milk after returning to work.

A designated lactation room has been established to provide a comfortable and private location to express breast milk. Check Getty GO for location.

Employees desiring to use the lactation room are allowed break time, if possible, to run concurrently with an established rest period already provided; typically, this is a period no longer than 20 minutes twice a day. If a lactation break cannot be scheduled concurrently with a rest period, then any additional time may be unpaid.

Employee Activities/Fitness Center

The Getty supports a number of voluntary and optional activities for employees during the year. However, neither the Getty nor any of its insurance carriers is liable for the payment of workers' compensation benefits for any injury, which arises out of an employee's voluntary participation in any off-duty recreational, social, or athletic activities, including use of the Getty Fitness Center.

The Getty Fitness Center, located on level L3 of the restaurant/café building, is open to all regular and limited-term employees of the Getty who are regularly scheduled to work 20 or more hours per week. The facility includes locker rooms, a general exercise area, a group exercise classroom, a stretching area, and administrative offices. The main exercise area is equipped with

a full circuit of muscle strengthening/toning machines, a complete line of cardiovascular equipment, and free weights. The Fitness Center is managed by an outside management company and is staffed by trained fitness professionals who provide instruction, testing, and supervision of the facility. The staff will be happy to enroll you or answer any questions you might have.

Discounts on Merchandise and Food

Employee discounts are available at the Getty's bookstore and food service locations. For details, check with a cashier at the venue where you want to make a purchase. Credit cards and personal checks for the amount of purchase are accepted. If your check does not clear the bank and is returned for any reason, your check-writing privilege may be withdrawn.

Attendance at Getty-Sponsored Events

Getty-sponsored lectures and similar activities of interest to employees sometimes occur during the workday. The decision to release a staff member from work to participate in such programs rests with the employee's supervisor and will be based on such considerations as relevance to your work, the availability of departmental coverage, your workload, and job performance. If you wish to attend such an event, you must obtain the advance approval of your supervisor.

Getty Transportation Program

The Getty participates in a transportation program, which provides incentives for alternative means of transportation to work in accordance with provisions of the South Coast Air Quality Management District. The purpose of the program is to reduce the number of vehicles on the road and thereby reduce unhealthful emissions into the atmosphere. Alternative methods of transportation are carpooling, vanpooling, taking the bus, bicycling, and walking. Designated Transportation Coordinators can provide you with the details and assist in linking with others in your area who are interested in participating in the program. The provisions and incentives of the program are evaluated and revised periodically. Falsification or misuse of any transportation program information or materials is grounds for permanent removal from the program as well as disciplinary action, up to and including termination.

The J. Paul Getty Trust
Staff Handbook
Section 3:

Your Job

This section outlines many of the policies and procedures that affect your job. You are encouraged to read it carefully and refer to it when you have questions. For more information, contact your Human Resources Specialist.

Equal Employment Opportunity

The Getty is committed to providing a work environment that is free of discrimination and harassment.

The Getty expects each employee to take responsibility for maintaining an atmosphere of equal opportunity by demonstrating sensitivity to and respect for social, cultural, religious, and physical differences.

It is the policy of the Getty to provide equal employment opportunity to all employees and applicants and to comply with all applicable laws prohibiting unlawful discrimination in employment. This commitment encompasses all aspects of the employer-employee relationship, including recruitment, selection, assignment, promotion, demotion, transfer, layoff and recall, termination, and training. The Getty will not unlawfully discriminate against qualified applicants, employees, or independent contractors on the basis of race, color, national origin, ancestry, sex, sexual orientation, gender identity, age (40 and over), religion, creed, physical or mental disability, medical condition, marital status, military service status, or other basis protected by law. Nor will the Getty unlawfully discriminate based upon the perception that an applicant, employee, or independent contractor is in a protected group or because an applicant, employee, or independent contractor associates with someone in a protected group.

Policy Against Discriminatory Harassment

The Getty is committed to providing an environment that is free of discrimination and harassment and in which all individuals are treated with respect and dignity. This *Policy Against Discriminatory Harassment* is one aspect of the Getty's overall commitment. The Getty will not tolerate discrimination, discriminatory harassment, or retaliation against anyone for complaining about discrimination or discriminatory harassment.

This policy applies to all members of the Getty community, including employees, independent contractors and their employees, and volunteers. It applies not only to the treatment of subordinates and co-workers, but also to interactions with others who visit or work at or with the Getty. This policy defines discriminatory harassment, addresses the rights and responsibilities of members of the Getty community, and describes how to avoid and report discriminatory harassment.

What is Discriminatory Harassment? The Getty prohibits discrimination and harassment on the basis of sex, race, religion, creed, color, national origin, ancestry, physical or mental disability, medical condition, marital status, gender, gender identity, age (40 or older), pregnancy, childbirth, sexual orientation or any other characteristic protected by local, state or federal law. By this policy, the Getty prohibits not only actions that are severe enough to be unlawful, but also conduct that is not severe enough to be unlawful but is inappropriate in our workplace.

Sexual Harassment is one form of discriminatory harassment. It includes unwelcome sexual advances or unwelcome physical, verbal or visual conduct of a sexual nature. Sexual harassment may be perpetrated by either men or women against either men or women. Conduct that may constitute sexual harassment includes but is not limited to:

- Unwanted sexual advances.
- Offers of employment benefits for sexual favors.
- Withholding of employment benefits, or threats that employment benefits will be withheld, if sexual favors are denied.
- Physical conduct such as unwanted touching or blocking normal movement.
- Verbal conduct such as derogatory jokes, epithets, slurs, or stereotyping, or unwelcome comments about an individual's body or appearance.
- Visual conduct such as leering or displaying sexually suggestive objects or images in inappropriate settings.
- Written conduct such as vulgar or suggestive letters, notes or invitations.
- Electronic conduct, such as use of the e-mail system or the Internet to send or obtain pornographic or sexually explicit messages or pictures.

Other Forms of Discriminatory Harassment include unwelcome and objectively offensive conduct directed at an individual or group of individuals *on the basis of* any protected characteristic. Conduct that may constitute discriminatory harassment includes but is not limited to:

- Verbal conduct such as epithets, derogatory comments or jokes, or slurs based on a protected characteristic.
- Visual conduct such as posters, cartoons, or drawings that denigrate or show hostility or aversion towards an individual or group based on a protected characteristic.
- Written conduct such as threatening or offensive letters, notes or invitations.
- Electronic communication of verbally or visually harassing material.
- Physical conduct such as assault, impeding or blocking movement, or any physical interference with normal work or movement based on a protected characteristic.

Context Matters. Some conduct obviously constitutes discriminatory harassment – for example, a threat of termination unless a person submits to a sexual advance, or an office filled with racist

signs. But whether other conduct constitutes harassment may depend upon the specific context. In an arts institution like the Getty, the inquiry into what constitutes harassment may be complicated. For example, while images of nudes or similar explicit material might constitute harassment in an ordinary business environment, such material may be appropriately displayed in a museum or other exhibition. While such images may be distasteful, disturbing or offensive to some, their display is not harassment in the context of an exhibition, a lecture, or other work related to the Getty's mission as an arts institution. (It is not, on the other hand, appropriate to post nude "pin-ups" from a popular magazine at a work station.)

Not all unpleasantness is discriminatory harassment. The Getty demands excellence of its employees and such demands can be difficult and even stressful; that does not make them harassment. Further, while the Getty encourages civility, incidences of incivility, unpleasant interactions with co-workers or supervisors, or workplace challenges or frustrations not based on a protected characteristic like sex or race are generally not discriminatory harassment. Members of the community who have concerns about aspects of their work environments other than discriminatory harassment are encouraged to discuss these matters with their supervisors.

Avoiding Discriminatory Harassment. All employees are responsible for assuring a workplace free from discrimination. If another person is engaged in unwelcome behavior towards you and you feel comfortable doing so, you should tell the person that his or her conduct is unwelcome and ask that it stop. In some cases, others may be unaware that their conduct is unwelcome or offensive to you. If you are not comfortable telling another person that his or her behavior is offensive or if doing so does not make the unwelcome behavior stop immediately, contact a Human Resources Specialist.

If another member of the Getty community tells you that your conduct towards him or her is offensive or unwelcome, and the conduct is not part of your work responsibilities, **stop**. Be aware that, even if no one asks you to stop, remarks or conduct that you do not mean to be offensive may make others unnecessarily uncomfortable. If you have any questions about this policy or about discriminatory harassment in general, consult a Human Resources Specialist.

Reporting and Responding to Discriminatory Harassment. While the Getty actively seeks to prevent discriminatory harassment, the Getty can respond to specific instances and allegations of discriminatory harassment only if it is aware of them. Early intervention is the most effective way to resolve incidents of possible harassment. The Getty therefore encourages anyone who believes that he or she has experienced or witnessed discriminatory harassment to discuss the situation with his or her Human Resources Specialist immediately. If you feel uncomfortable bringing a matter to your Human Resources Specialist, you may speak instead with another Human Resources Specialist or to the Human Resources Director or Manager. Reports may be made by or about any member of the Getty community, as well as visitors, vendors, and other persons with whom you come into contact as part of your work at the Getty.

All employees and individuals performing services for the Getty are required to comply with this policy and to cooperate with investigations of complaints of harassment. Employees who have experienced conduct they believe is contrary to this *Policy Against Discriminatory Harassment* have an obligation to bring their concerns to the attention of Human Resources.

Any Getty supervisor who becomes aware of instances or allegations of discriminatory harassment by or against a person under his or her supervisory authority must report it

immediately to a Human Resources Specialist, the Human Resources Director or Manager, or the Vice President and General Counsel.

Upon receipt of a complaint, the Getty will investigate the allegations of discriminatory harassment. The scope of the investigation will depend on the specific nature of the complaint, but it typically will include interviews with the complaining person and the accused person, and frequently will involve interviews with any other witnesses to disputed events. The Getty responds to all reports or complaints of discriminatory harassment thoroughly, promptly, and objectively. Complaints and investigations will be handled in as confidential a manner as possible, consistent with a full and fair investigation. Failure to cooperate or participate honestly in an investigation may be grounds for discipline, up to and including termination.

Corrective Action. *If an investigation confirms a violation of this policy, the Getty will take appropriate corrective action. Corrective action may include discipline. Disciplinary action will vary based on, among other things, the severity of the misconduct, and may include warnings, reprimands, suspensions, denial of salary increases or promotions, demotion, or termination.*

Retaliation Against and Protection of Those Accused. The Getty will not tolerate retaliation against persons who report or charge discriminatory harassment or against those who assist or participate in any investigation of harassment. In this context, retaliation means speech or conduct that adversely affects another person's terms or conditions of employment and is motivated by an intent to harm the targeted person because of his or her participation in the making or investigation of an allegation of harassment. Any such retaliation – or any encouragement of another to retaliate – is a serious violation of Getty policy independent of whether the particular claim of discriminatory harassment is substantiated. It also may violate the law. If you believe you have been subjected to retaliation in violation of this rule, you may use the procedures described above to complain and seek redress. Corrective action may result.

The Getty seeks to protect the rights of all persons, accusers and accused, to fair procedures. Accusations of discriminatory harassment may have injurious far-reaching effects on the careers and lives of accused individuals. Allegations of discriminatory harassment must be made in good faith and not out of malice. *Knowingly* making a false or frivolous allegation of harassment will be treated as a serious matter and may result in corrective action.

Workplace Accommodations for Employees with Disabilities

The Getty is committed to working with employees with disabilities to identify and provide reasonable accommodations that will permit otherwise qualified employees to perform their jobs.

If you believe that you have a protected disability and require reasonable accommodations, you must submit a request for accommodations to your Human Resources Specialist. You should submit your request as early as possible, recognizing that the necessary interactive process can be time-consuming. The request should normally identify the nature of the limitation(s) that you believe require accommodation, the likely duration, and suggested accommodations. Your supervisor or Human Resources Specialist will meet with you to discuss the request, explain the process, and determine what documentation is necessary to evaluate the request. It is your responsibility to ensure that your health care provider provides the requested documentation. Depending on the circumstances and documentation, the Getty may require supplemental information from your health care provider and/or another expert. Periodic updates from your

health care provider may also be required. The Getty cannot always provide the specific accommodation you seek, but will, whenever possible, offer accommodations responsive to your documented limitations.

Attendance and Punctuality

Each department and the entire organization depend on regular attendance and punctuality to run smoothly. If you are going to be late, you should contact your supervisor ahead of time or as soon as possible if prior notice is impossible. If you are unable to report to work because of illness or an emergency, you must notify your supervisor directly before the start of your scheduled work time on the first day and each subsequent day of your absence. If prior notice is impossible, you should contact your supervisor as soon as it is possible to do so. Requirements for attendance and advance notification of absences or lateness may vary based on the operational needs of your department.

If you are absent for three days and have failed to contact your supervisor during that period, you will be deemed to have resigned voluntarily. Excessive absences or tardiness can also lead to disciplinary action, up to and including immediate termination.

Introductory Period

Newly hired employees at the Getty serve an introductory period of 90 days. This is an opportunity for employees to be evaluated for abilities, competencies and performance required for the assigned position. Management has the option to extend the introductory period for up to an additional 90 days. Employees who do not successfully pass the introductory period are subject to termination. The introductory period is to be used only during the initial hiring period for new employees.

During and after the introductory period, an employee's at-will status does not change and either the Getty or the employee may terminate employment with or without cause or notice at any time during the employee's employment. Completion of the introductory period does not create an implied contract of employment or any other contractual obligation.

Personnel Information

The personnel file is the basic record of your work history with the Getty. It is intended for the sole use of the Getty and is considered confidential. The Human Resources Department maintains your personnel file. Benefits records are maintained in separate files. If any change occurs in your personal status such as marriage, change of address, or change of dependents or beneficiaries, refer to Life Events at www.getty.edu/staff or contact your Human Resources Specialist.

Access to Personnel Information. You have the right to examine your personnel file and your benefits file. If you wish to see either file, you must contact your Human Resources Specialist in advance for an appointment. You will be asked to complete a *File Review Request* form before you examine your file. Appointments are normally granted within two working days. You may obtain a copy of material in the file if it contains your signature, but you may not alter, add to, or delete any information in your file.

Access by others to personnel and benefits files is granted only for legitimate Getty business or in response to a valid law enforcement inquiry, subpoena or order. Your Human Resources Specialist is responsible for evaluating requests for information and controlling access to the

files. Requests by phone for employment verification will be handled by your Human Resources Specialist; written requests and credit/mortgage verification will be handled by the Human Resources Department. Any legal or investigatory request from an outside agency should be referred to the Office of General Counsel.

Job Posting and Transfer

Eligible employees may apply for transfer to another position within the Getty. Job openings are posted in various locations throughout the Getty, on the Job Hotline at (310) 440-6556, on the Getty Website at “*Employment Opportunities*,” and at www.getty.edu/staff.

Generally, an application for transfer will be considered only if you have been in your present position for at least six months and your most recent performance outcome reflects an acceptable level of performance. All exceptions must have the prior approval of the Director of Human Resources.

To apply for a posted job, you must submit an *Employee Transfer Application* to the Human Resources Specialist for the hiring program or department. Consideration for an interview will be based on an analysis of your qualifications and experience. All employees, including those seeking transfer within their own program/department, must use this procedure to apply for a transfer. You may contact your Human Resources Specialist or log on to www.getty.edu/staff for an application or for more information about a position that interests you.

You are encouraged to inform your supervisor when you file a transfer application. If you choose not to inform your supervisor at the time of your application, you *must* do so before a formal offer can be made to you. At that point, the hiring program will contact your present supervisor and others to obtain information about your qualifications for the job.

Employee Work Apparel/Appearance

Departments have different operational needs and requirements regarding an employee’s dress and appearance. Staff who regularly work with the public may be required to follow work apparel and appearance guidelines to present a professional and well-groomed appearance. Guidelines for uniforms, street apparel, and appearance that conform to Getty standards will be provided to staff who are required to follow the standards. Staff who do not comply with the standards set by their department and the Getty may be subject to immediate disciplinary action.

Job Performance and Conduct

As an employee of the Getty, you have certain privileges, which are described in this handbook. In addition, you have responsibilities to the Getty, the department in which you work, and to other employees. Specific job requirements often vary with the demands of a particular department. Your supervisor will explain the job requirements and performance standards for your job.

Employee and Supervisor. The Getty emphasizes the importance of the employee-supervisor relationship. Your supervisor is expected to provide you with direction and guidance and is your best source of information about your work. You have responsibilities in this relationship as well, including meeting the requirements of your job, helping to achieve your department’s objectives, and bringing problems or questions to your supervisor.

Performance Review. As a Getty employee, you must perform your job at an acceptable level. If you do not feel that you are receiving sufficient feedback, you should speak with your supervisor.

Generally, you can also expect a more formal discussion of performance and a written performance review on an annual basis. This important discussion between you and your supervisor will focus on past accomplishments as well as future opportunities to contribute. There is a place on the form for you to record your comments about the areas addressed in the review.

Nothing included or not included in a performance review alters the at-will nature of an employee's employment with the Getty. Either the Getty or the employee can terminate the employment relationship at will, at any time, with or without cause, and with or without advance notice.

Types of Disciplinary Action

The Getty may use any form of disciplinary action deemed appropriate to the situation. Types of disciplinary action include counseling, written warning, suspension, and discharge.

The use of any type of disciplinary action is within the sole discretion of management. Giving a disciplinary warning or warnings in one instance does not require the Getty to use such warning or warnings in any other instances, nor does it modify the at-will employment relationship in any way. The Getty reserves the right to utilize any disciplinary action on a first-time basis.

Conflict Resolution Policy

It is the Getty's intention to foster a healthy, responsive work environment. However, in any work situation, employment problems may occur—misunderstandings or disputes regarding conditions of employment, job duties, work performance, work relationships, management decisions, or even possible misconduct.

The Getty places great confidence in your ability to satisfactorily resolve most of these conflicts by working with your immediate supervisor. For problems requiring further attention, the Getty offers alternatives, both formal and informal, based on the following premises:

- The Getty will make every effort to maintain open lines of communication between employees and management and expects the same from its employees.
- The supervisor-employee relationship is critical to successful work performance and will be important in the resolution of problems.
- Your standing with the Getty will not be jeopardized in any way by the appropriate use of the conflict resolution procedure.

These conflict resolution processes cannot be used to challenge performance reviews, terminations resulting from reductions in force, or the Getty's written policies, procedures, and handbook.

There are two mechanisms for dealing with work-related problems: informal problem solving and formal problem review. The steps are as follows:

Informal Problem Solving. Whenever possible and appropriate, you should discuss and attempt to resolve conflicts with your immediate and next-level supervisor. Most problems will be solved satisfactorily at this level. In cases where you feel it is necessary to address a problem with someone not directly involved, you are encouraged to contact your Human Resources Specialist for assistance.

Formal Problem Review. If you cannot reach a mutually satisfactory conclusion through informal means, you may initiate a formal problem review. The steps are as follows:

1. Within 10 working days of the date of the incident or problem, you must prepare a written summary of the problem and submit it to the next-level supervisor or a management representative. The management representative will meet with you to hear your concerns. In most cases, you will receive a response within 10 working days of receipt of your written summary.
2. If you remain dissatisfied with the results, you may, within 10 working days of your receipt of the response, request a meeting with the Director of Human Resources, who will review the case with your management. The Director of Human Resources will make the final determination.

Separation Policy

Employment is at the mutual consent of the Getty and the employee. Therefore, either the Getty or the employee can terminate the employment relationship at will, at any time, with or without cause, and with or without advance notice.

Following the procedures below will help ensure the proper documentation, processing, and pay of employees who are leaving the Getty's employ.

Pay and Benefits. The effective date of separation is the last actual day of work. A vacation day, personal day, or sick day cannot be the last day of work. Employee benefits cease on the date of termination except for medical, dental, and vision care insurance, which currently cease on the last day of the month in which the termination occurs. The Getty Human Resources Department provides benefits information to terminating employees.

A separating employee is given the final paycheck on the day of separation, however those employees who resign without notice are paid within 72 hours of notice of resignation. The final paycheck includes payment for all hours worked, paid absences during the current pay period, and accrued, unused vacation and personal days. Any advanced wages and paid vacation hours taken in advance of accrual, which are considered wage advances, will be reconciled from the final paycheck. You are required to return all keys, badges, parking passes, equipment, and other Getty property before you pick up your final paycheck.

Reduction in Force

From time to time, changing programmatic or economic imperatives may result in the consolidation or elimination of jobs. Under such circumstances, the Getty may be faced with administering layoffs. Management will select the person or persons to be laid off based on its judgment of the Getty's needs and skills of the person(s) in question. A proposed reduction in force will be reviewed by the appropriate Director's office and the Human Resources Director. A Human Resources Specialist will work with the affected staff member throughout his/her

notice period to discuss the job search process and to provide information about benefits and services available.

Rehire Policy

Employees who leave the Getty in good standing will be eligible to apply for rehire. Past performance will generally be considered when a former employee applies for rehire. Employees terminated for cause are not eligible for rehire.

You will not carry over any unused sick time from prior employment at the Getty. Your medical and other insured benefits will be effective as of your rehire date. Consult the Summary Plan Description (SPD) for the Retirement Plan and Employee Investment Plan (EIP) for information about how a break in service affects your participation in these plans.

Rehired employees are subject to the Getty's introductory period.

Law, Ethics and Professional Conduct

The Getty expects all employees to conduct themselves consistently with the organization's own high ethical standards and with the ethical standards of their disciplines. Our commitment to ethical and professional standards is the foundation of the Getty's success and stature as a leader within the cultural community. Employees of the Getty are also expected to commit themselves to full compliance with all applicable laws.

The desire to achieve organizational or personal objectives will not excuse unethical, illegal or wrongful activity, conflict of interest, or deviation from critical Getty policies. If the Getty determines that an employee has engaged in any such activity, the Getty will take whatever action it considers appropriate, up to and including termination.

Code of Ethics

The work of the Getty is administered and conducted by Trustees, officers, staff, and volunteers, all committed to serving the public interest. As a nonprofit institution, the Getty complies with applicable local, state, and federal laws and international conventions, as well as with legal standards governing trust responsibilities. The Getty, and those responsible for it, strives to maintain the institution's integrity so as to warrant public confidence, acting legally and ethically. This Statement on Ethics, therefore, outlines practices that frequently exceed minimal legal standards.

By adopting this statement on ethics, the Trustees seek to ensure that all those who work for, or on behalf of, the Getty both understand and support its mission and public trust responsibilities.

Loyalty. Loyalty to the Getty's mission is essential to all who work at the Getty, whether volunteer or paid. The duty of loyalty must never be compromised. No individual may use a position at the Getty for personal gain or to benefit another at the expense of the Getty, its mission or its reputation. The Getty has Trustee and staff policies on conflicts of interest, and related procedures for addressing actual, potential, or perceived conflicts. All members of the Getty community are expected to comply with applicable conflict of interest policies.

Governance. The affairs of the Getty are conducted by, or under the oversight of, the Board of Trustees. The Trustees hold the staff accountable for maintaining the highest standards

of practices and participate in decision-making processes with respect to them, including the development and regular review of collection, program and financial policies.

Collections. Some of the Getty's programs seek to assist in the protection and preservation of the world's cultural heritage in diverse places. Others, particularly the Museum and the Research Institute, own and care for objects representing the world's cultural heritage. This stewardship of collections entails the highest public trust and carries with it the presumption of rightful ownership, permanence, care, documentation, accessibility, and responsible disposal.

Thus the Trust strives to ensure that its collections:

- support its mission and public trust responsibilities;
- are lawfully held, protected, secure, unencumbered, cared for, and preserved; and,
- are accounted for and documented.

The Trust further strives to:

- ensure that access to the collections and related information is permitted and appropriately regulated;
- that acquisition, disposal, and loan activities are conducted in a manner that respects the protection and preservation of cultural resources and discourages illicit trade in such materials;
- that acquisition, disposal, and loan activities conform to its mission and public trust responsibilities;
- that any sale or trade of collections is solely for the acquisition or direct care of collections;
- that the unique nature of funerary and sacred objects is recognized as the basis of all decisions concerning such collections;
- that collections-related activities promote the public good rather than individual financial gain; and
- that competing claims of ownership that may be asserted in connection with objects in its custody are handled openly, seriously, responsively and with respect for the dignity of all parties involved.

Programs. The Getty serves society by advancing an understanding and appreciation of cultural heritage through exhibitions, research, conservation, scholarship, grants, publications, and educational activities. These programs further the Trust's mission and are responsive to the concerns, interests, and needs of society, founded on scholarship and marked by intellectual integrity, accessible to and encourage participation of the widest possible audience, respect pluralistic values, traditions, and concerns, and promote the public good rather than individual financial gain.

Revenue Generating Activities. Activities that may produce revenues and those involving relationships with external entities must be compatible with the Getty's mission and support its public trust responsibilities.

Implementation and Orientation. New Trustees and staff members are provided with copies of policies relating to ethics and standards of practice and are asked to review these materials as part of their orientation. Trustees and senior employees file annual disclosures of potential conflicts; the Audit Committee of the Board of Trustees receives an annual report

regarding any circumstances that might give rise to an appearance, or question, concerning a conflict of interest.

Workplace Complaints

Procedure for Handling Complaints and Concerns about Financial Matters

The Getty strives to conduct all of its activities and operations in accordance not only with applicable law but also the highest ethical standards. Adherence to this goal is imperative in connection with the preparation of the Getty's financial statements, its tax returns and other public reports. The Audit Committee of the Getty's Board of Trustees has adopted procedures for handling complaints and concerns to assist the Getty in meeting its legal and ethical obligations in connection with its accounting and auditing practices.

The Audit Committee relies on the Getty's officers and employees, including the General Counsel and the Internal Auditor, and the Getty's independent accountants for information about the Getty's accounting, internal accounting controls and auditing matter. Because the Audit Committee is so dependent upon the information provided to it by the Getty's officers and employees, it is important for the Audit Committee to cultivate open and effective channels of communication through which concerns and complaints regarding Accounting Matters may be reported.

Accordingly, the Getty's Audit Committee has established these procedures for:

- The receipt, retention and treatment of complaints received by the Getty regarding Accounting Matters, and
- The confidential, anonymous submission by officers and employees of the Getty of concerns regarding questionable Accounting Matters.

Procedure for Handling Other Complaints and Concerns

The Getty has special procedures for reporting complaints and concerns about financial matters. For other workplace concerns, refer to the *Policy Against Discriminatory Harassment* and the *Conflict Resolution Policy* within this handbook or contact your Human Resources Specialist to request copies.

Outside Board Service Policy

Under certain circumstances, Getty staff may serve on outside boards (compensated or uncompensated). For specifics about the policy, go to <http://www.getty.edu/about/governance/policies.html>. (Revised 11/08)

Conflict of Interest Policy

A conflict of interest arises when an individual's personal activities or interests are in competition with or contrary to the best interests of the Getty. For specifics about the policy, go to <http://www.getty.edu/about/governance/policies.html>. (Revised 1/21/09)

Copyright and Patent Policy

The Getty complies with the United States copyright and patent laws. Work performed by Getty

employees within the scope of their duties is considered work made for hire and is the intellectual property of the Getty. You may, depending on the nature of the work, be asked to complete documents verifying that it is the property of your employer.

Employment of Relatives

The Getty bases employment decisions solely on individual merit and job-related criteria, and will employ relatives of current Getty employees as long as employment does not present a source of potential or actual conflict of interest, either to the Getty or to the individuals involved. Each situation is examined carefully and decisions are made on a case-by-case basis except that relatives may not be employed within the same line of supervision. "Relative" is defined as a parent or stepparent, in-law, spouse/eligible domestic partner, child, brother, sister, grandparent, or any person living in your household.

Outside Employment

Under certain circumstances, as described below, Getty staff may engage in outside work (paid or unpaid). Outside work may not compromise or interfere with the staff member's job duties; create an actual or perceived conflict of interest; or adversely affect the Gettys name or reputation. Staff must receive their supervisor's approval for all outside work. Supervisors must be prepared to justify their approval of outside work by a staff member to the Trust Officer or Program Director to whom he or she reports.

If a staff member wishes to engage in outside work on Getty time, on Getty's premises, or using Getty's resources or materials, the staff member must submit a written request to the Trust Officer or Program Director to whom he or she reports that the outside work be approved as "Getty-supported." The written request must identify: 1) person or entity for whom the work will be done; 2) if an entity, its mission and tax status; 3) the person or entity's relationship to the Getty, if any (for example, a Getty Trustee, an art dealer, a potential donor, a party with whom we have contracted previously or plan to contract with, etc.); 4) the nature of the work; 5) the anticipated dates of the work; 6) the approximate amount of time required for the work; 7) the amount of compensation the staff member will receive, if any; and 8) confirmation that the relevant supervisor has approved the request. Any compensation received for "Getty-supported" outside work, including fees, payments or honoraria, should be declined or turned over to the Getty.

Trust Officers and Program Directors must be prepared to justify their approval of outside work as "Getty-supported" to the President or the General Counsel.

All outside employment is based on the premise that the employee's primary responsibility is to the Getty, and that the activity will neither interfere with this responsibility nor compromise the employee's professional integrity or the Getty's reputation. Any questions about whether particular outside work creates a conflict of interest or other concern should be discussed promptly with the Office of General Counsel. (*Revised 11/08*)

Confidential Information

Safeguarding the confidential nature of information about the Getty's financial, procedural, security, and other management policies, acquisitions, transactions, and employees is essential. Should you have any questions regarding the confidentiality of Getty information, you should ask your supervisor for clarification. Your confidentiality obligations to the Getty continue after termination of your employment. If you receive a request for information about the Getty from

outside sources such as the media or a public relations official, you should promptly refer it to the Getty Communications Department.

Solicitation/Distribution

To provide a workplace free of disruptions, strict rules apply regarding the solicitation, circulation, or distribution of information and/or written material that is not related to Getty business. Non-employees may not solicit, circulate, or distribute materials on Getty premises. Employees may not solicit, circulate, distribute, or accept materials that are not related to Getty business during working time and may not distribute materials at any time in working areas.

Safety

It is the responsibility of all employees to take all necessary precautions to protect themselves, others, and Getty property. Employees are required to follow all safety rules, signs, and instructions, and to report all accidents and safety hazards or potential hazards to appropriate authorities. No employee is expected to undertake any job if an unsafe condition or hazard is present or if the employee does not have a good understanding of the potential hazards of a job. Employees who operate vehicles or other safety-sensitive equipment are required to be drug and alcohol free. Employees who fail to comply with all safety policies and procedures are subject to disciplinary action, up to and including termination.

Please be particularly alert to any unsafe or hazardous conditions and report them immediately to your supervisor or Risk Management. If an on-the-job accident results in injury, regardless of how serious, you must immediately notify your supervisor.

Drug and Alcohol Policy

Misuse of drugs or alcohol impairs employee health and productivity. Drug and alcohol problems can result in unsafe working conditions for all employees and visitors. The Getty is committed to maintaining a productive, safe, and healthy work environment, free of unauthorized drug and alcohol use. Employees shall not use illegal substances or use legal substances in a manner that impairs work performance or threatens health, safety, security or property. "Legal substances" include alcohol and prescribed or over-the-counter drugs legally obtained by the employee and used for the purpose for which they were prescribed and sold.

Employees who violate the *Drug and Alcohol Policy* may be subject to disciplinary action, up to and including termination of employment.

Employees with concerns about drug or alcohol abuse may consult with the Employee Assistance Program (EAP) for confidential professional counseling or referral. For questions regarding leaves of absence related to drug and alcohol treatment or for further discussion of this policy, consult your Human Resources Specialist.

Smoking

Although the Getty discourages smoking because of the known health and safety risks, the Getty recognizes that individuals make their own choices with regard to smoking. Employees are expected to adhere to California law and Getty policy regarding smoking.

Smoking is restricted to the areas immediately surrounding the ash cans placed in exterior locations throughout the Getty. The ash cans must be used for discarding ashes and cigarettes.

They comply with fire regulations and must not be moved. While smoking is permitted in most outdoor areas of the Café and the Museum Café, smokers are asked to be respectful of fellow diners in those areas. Smoking is not permitted in coffee cart lines. Questions about the smoking policy should be referred to the Security Department.

Security and Inspections

Security must be the concern of every employee of the Getty. To ensure the safety of employees and visitors, the Getty uses security surveillance equipment. Surveillance videos may be consulted in certain circumstances. All Getty equipment, workstations, and vehicles are Getty property and are subject to search without notice by a Getty-designated person. Getty staff who work directly or indirectly with Getty collections or who visit a collections area are subject to search of their personal belongings, purses, briefcases, lunch boxes, and anything else they bring onto Getty property.

Getty employees should know the rules for the safety and security of other employees, the public, works of art, and Getty property. Security rules and arrangements should not be discussed with anyone other than an employee. You should be alert not only for security violations, but also for conditions that encourage vandalism, accidents, damage, or theft. The Security Department or your supervisor should be notified immediately of any apparent security risks or violations.

Identification Badges and Parking Decals

The Getty issues employee photograph identification badges to all staff. Badges should be worn visibly at all times while on the premises. You are expected to take your badge home at the end of the workday, and you are responsible for safeguarding your badge and keeping it in your possession. If a badge is lost or damaged, it should be reported immediately to the Security Department and a replacement will be issued.

The sale, transfer, or loan of a badge is strictly forbidden and can result in termination. When you terminate employment with the Getty, you must return your badge to your supervisor or to the Security Department.

Staff who regularly work at the Getty Center or Getty Villa are required to have a parking decal/hangtag to park on site. If you drive more than one car, request a hangtag so you can move it between cars. Parking decals and hangtags should be requested through the individual program administrative offices. Limited-term staff will be issued a temporary parking permit. Temporary parking placards are issued for up to six months and should be displayed on your dashboard.

Uniforms and Pagers

Employees in some areas are required to wear uniforms or specially designated clothing while on duty. Some employees may also be required to carry a pager and respond to emergency calls while off duty. Your supervisor will provide you with specific instructions for the purchase and/or care of clothing and equipment.

Workplace Violence

The Getty is committed to providing a work environment that is free of violence. Acts or threatened acts of violence will not be tolerated. Anyone engaging in such acts will be subject to immediate disciplinary action, up to and including termination, and may also be personally

subject to civil or criminal liability. Any employee who is subjected to, witnesses, or has knowledge of actions that could be perceived as violent acts, or has reason to believe that such actions may occur, must report them immediately to their supervisor, the Getty's Human Resources Director, or the Director of Security.

For purposes of this policy, violent behavior includes but is not limited to:

- The actual or implied threat of harm to an individual, group of individuals, or relatives of those individuals.
- The possession on Getty property of weapons of any kind or the brandishing of any object that could reasonably be used as a weapon. Failure to notify security when you have knowledge of the presence of a weapon on Getty property may result in termination.
- Callous or intentional disregard for the physical safety or well-being of others, or the willful destruction of property.
- Commission of a violent felony or misdemeanor on or with Getty property.
- Other conduct that a reasonable person would perceive as constituting a threat of violence.

Personal Use of Getty Resources and Staff

The Getty is committed to carrying out its mission in an efficient and productive manner. To that end, the Getty provides a wide range of tools and resources, including information technology resources, such as computers and computing resources, telephones, voicemail and electronic mail, videoconferencing, facsimile machines, and Internet access. Persons permitted to use these resources are expected to do so in pursuit of the Getty's activities and in accordance with good professional judgment. Although the Getty recognizes that users of these resources may occasionally make or receive personal telephone calls or electronic mail messages, personal use of the Getty's resources is not proper and should be avoided to the maximum extent possible.

Similarly, Getty employees should never be asked or expected to perform personal tasks or errands for their supervisors or others. Supervisors may on very infrequent occasions ask employees to reschedule a personal meeting or perform another minor task that does not involve any significant use of time, interfere with the employee's performance of Getty duties, or involve leaving the employee's work area, but requests for personal assistance must be avoided. It is not, for example, permissible to ask a staff member to pay personal bills, run errands, plan personal travel, type non-Getty related documents, or otherwise use Getty time and resources for personal purposes.

Employees may not use the Getty's name or Getty letterhead for any non-Getty business related purpose.

Inappropriate use or misuse of the Getty's resources or staff may result in disciplinary action, up to and including termination. If you have questions, call your Human Resources Specialist.

Access to Electronic Data

All information technology resources provided by the Getty are owned by the Getty and may be subject to monitoring by the Getty or, in the case of public networks, by others. To the extent provided by law, the Getty owns the electronic information generated or stored on the resources it provides. The Getty reserves the right, as permitted by law, to review this information and to monitor uses of these resources.

The Getty's resources must not be used to transmit or download solicitations unrelated to Getty business, or to view, transmit or download illegal, offensive, vulgar, or otherwise disruptive messages or materials, including but not limited to, those that contravene the Getty's policies regarding equal employment opportunity, discrimination, or harassment.

The Getty does not make a practice of monitoring Internet access. Persons using Getty resources should be aware, however, that in the course of routine maintenance and upgrading of the Getty's complex computer environment, members of the Information Technology Department may become aware of Internet materials downloaded or stored on Getty computers. Even if inappropriate use or misuse of the Getty's resources is discovered in such a fashion, disciplinary action, up to and including termination, may result.

Records Management and Institutional Archives Policy

All Getty staff are required to manage records created and received in the course of business according to the *Institutional Records Policy* and the *Records Retention Schedule*. These records are property of the Getty Trust and include, but are not limited to, all recorded or stored information, regardless of physical forms or characteristics, created or received and accumulated in connection with the work of the Getty and maintained as evidence of such activity. Records exist in all media: paper, electronic, analog and digital media, etc.

The Institutional Records and Archives Department is responsible for administering records policies and procedures, managing offsite storage services, and providing guidance and training related to records management. Records must be managed according to procedures outlined in the Records Manual. The program or department that created or received them controls access to records. Records identified as "archival" must be transferred to the Institutional Archives at the appropriate time. Records may be destroyed only in accordance with the *Records Retention Schedule*. Sensitive, confidential, and vital records require higher levels of security and management.

Employees should carefully read the entire *Institutional Records Policy* and become familiar with the *Records Retention Schedule*. Questions should be addressed to your supervisor or to the Institutional Records and Archives Department. If the Getty determines that an employee has used the Getty's records inappropriately, the Getty will take whatever action it considers appropriate, up to and including termination.

Licenses and Certification

Any employee whose job requires specific licensing (e.g., a driver's license or a trade license or certificate) must maintain that license or certificate in a valid condition. An employee whose job requires driving a vehicle must maintain an acceptable driving record. An employee with three or more points on his or her driving record will not be permitted to drive on Getty business. If driving is a requirement of the position, the employee may be unable to perform the essential functions of the job and termination may result. Employees who operate vehicles or other safety-sensitive equipment are required to be drug and alcohol free. Failure to meet licensing, certification, and drug/alcohol requirements may result in disciplinary action, up to and including termination.

Immigration Law Compliance

The Getty is committed to full compliance with federal immigration laws. These laws require that all individuals pass an employment verification procedure before they are permitted to work. This procedure has been established by law and requires that every individual provide satisfactory evidence of identity and legal authority to work in the United States. All offers of employment are conditioned on furnishing satisfactory evidence of eligibility to work in the United States within the required time frame.

The J. Paul Getty Trust
Staff Handbook
Section 4:

Definitions

Unless otherwise specified, these definitions apply to all provisions in this handbook. Different definitions may also apply to specific benefit plans; see the Summary Plan Descriptions (SPDs) for details.

Child: a biological, adopted or foster child of the employee or the employee's spouse/eligible domestic partner or a legal ward or child for whom the employee stands in loco parentis (acts as a parent). For purposes of the FMLA, CFRA, and sick pay, a "child" must be under 18 or, if over 18, incapable of self-care because of a mental or physical disability.

Immediate Family: spouse/eligible domestic partner, children, parents.

Parent: biological or adoptive parent or an individual who was acting as a parent to the employee when the employee was a child.

Physician: a medical doctor or other appropriate health care provider, as authorized by relevant law.

Relative: spouse/eligible domestic partner, parent, in-law, child, brother, sister, grandparent, or any person living in the employee's household.

Spouse/eligible domestic partner: husband, wife, or registered domestic partner under the California Family Code.

Index

Access to Electronic Data	44
Alcohol Policy	42
Apparel/Appearance	35
Assistance for Victims of Domestic Violence	24
Attendance	34
Attendance at Getty-Sponsored Events	29
At-Will Employment	5
Bank Discounts	27
Benefits Summary	10
Bereavement Leave	24
Board Service Policy	40
Call-back	9
Call-in	9
Closure Pay	9
Code of Ethics	38
Community Service Leave	26
Community Service Mission	26
Compensation	6
Complaints	<i>See Workplace Complaints</i>
Conduct, Job Performance and	35
Confidential Information	41
Conflict of Interest Policy	40
Conflict Resolution Policy	36
Copyright Policy	40
Credit Union	27
Definitions	47
Direct Deposit of Paycheck	8
Disabilities, Accommodations for Employees with	33
Disability	<i>See Long-Term Disability</i>
Disciplinary Action	36
Discounts, Merchandise and Food	29
Discriminatory Harassment	30
Domestic Violence, Assistance for Victims of	24
Dress Code	<i>See Apparel/Appearance</i>
Drug Policy	42
Educational Assistance	27
EIP - Employee Investment Plan	20
Emergency Pay	9
Employee Activities	28
Employee Investment Plan	20
Employment Classification	5
Employment of Relatives	41
Employment Status	10
Equal Employment Opportunity	30
Ethics and Professional Conduct	38
Family and Medical Leave (FMLA)	15
Family Temporary Disability Insurance (FTDI)	21
Family/School Time Off	26

Fitness Center.....	28
Flexible Spending Account.....	20
FMLA	<i>See Family and Medical Leave</i>
Formal Problem Review	37
FTDI.....	<i>See Family Temporary Disability Insurance</i>
Full-time Employment.....	5
Getty-Sponsored Events.....	29
Harassment, Policy Against.....	30
Harassment, Reporting and Responding to.....	32
Holiday Pay, Calculating	11
Holidays	11
Hours of Work	5
Identification Badges	43
Immigration Law Compliance	46
Inactive Status.....	18
Income Protection.....	14
Informal Problem Solving.....	37
Inspections, Security and	43
Introductory Period	34
Job Performance and Conduct	35
Job Posting.....	35
Job Transfer	35
Jury Duty.....	23
Lactation Room.....	28
Layoffs	<i>See Reduction in Force</i>
Leaves of Absence	15
Licenses and Certification.....	45
Life Insurance	10
Long-Term Disability Plan	15
Matching Employee Gifts Program	28
Medical Leave.....	<i>See Family and Medical Leave</i>
Medical Plan	10
Military Leave.....	22
Military Spouse Leave	23
Mission.....	4
Outside Employment	41
Overtime Eligibility Status	6
Overtime Pay	8
Pagers.....	43
Paid Holidays.....	11
Paid Leaves	<i>See Leaves of Absence</i>
Parking Decals	43
Part-time Employment.....	5
Patent Policy	40
Pay.....	6
Pay for Travel Time	9
Pay Guidelines for Special Circumstances	9
Pay Periods.....	7
Payroll Deductions.....	8

Performance Review	36
Personal Days.....	13
Personal Leave	18
Personal Use of Getty Resources and Staff	44
Personnel Information, Access to	34
Pregnancy-Related Disability Leave.....	16
Punctuality	34
Records Management and Institutional Archives Policy.....	45
Reduction in Force	37
Regular Employment	5
Rehire Policy.....	38
Relatives.....	<i>See Employment of Relatives</i>
Reporting Pay.....	9
Sabbatical Leave	24
Safety	42
Schedules	6
SDI	<i>See State Disability Insurance</i>
Security	43
Separation Policy	37
Sexual Harassment.....	31
Shift Differential	8
Sick Pay	14
Smoking.....	42
Solicitation/Distribution.....	42
Stand-by, Controlled and Uncontrolled	10
State Disability Insurance (SDI).....	21
Study and Renewal Leave.....	<i>See Sabbatical Leave</i>
Supplemental Leave.....	17
Temporary Employment	5
Terms of Employment	5
Time Off for Voting.....	24
Timecards.....	<i>See Timekeeping</i>
Timekeeping	7
Transportation Program	29
Travel Time.....	<i>See Pay for Travel Time</i>
Uniforms	43
Unpaid Leaves	<i>See Leaves of Absence</i>
Vacation	12
Violence	<i>See Workplace Violence</i>
Vision Plan.....	10
Voting, Time Off for.....	24
Witness Duty.....	23
Work Hours.....	<i>See Hours of Work</i>
Workers' Compensation	22
Workplace Complaints.....	40
Workplace Violence.....	43
Workweek.....	6